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SELECTED ADDRESSES

THE
REMINISCENCES OF
JAMES BURRILL ANGELL
With Portrait. 12mo.

LONGMANS, GREEN, AND CO.

Selected Addresses

BY

JAMES BURRILL ANGELL

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PREFACE

THE publication last year of my volume of "Reminiscences" called forth requests to me for the publication of a volume containing some of the numerous Addresses which I had given during my Presidency of the University of Michigan. In compliance with these requests I have selected the Addresses here published.

I have chosen *first* those which discuss the problems involved in the conduct of State Universities, and especially of the University of Michigan, including a Memorial Discourse on Dr. Frieze, whose services to this University were of such marked value.

I have chosen, *secondly*, a few Addresses which I hope may be of special interest to the students who sat under my instruction in the History of Diplomacy and in International Law.

UNIVERSITY OF MICHIGAN,
March 18, 1912.

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I

INAUGURAL ADDRESS

UNIVERSITY OF MICHIGAN

JUNE 28, 1871

I

INAUGURAL ADDRESS

UNIVERSITY OF MICHIGAN, 1871

THIS University sustains vital relations to the State whose name it bears. Though it owes its chief resources to an endowment from Congress, its organization, its work, and its fortunes have been so largely under the control of the State that it may be justly termed the child of the State. If we may regard the repeated appropriations of money to the University by the Legislature as establishing the policy of the Commonwealth to recognize a parental duty to this school of learning, that simple fact implies a just and lofty conception of the function of the State and of the University. Such action argues large and generous ideas of the powers and duties of the State. It contemplates civil society as charged not merely with the negative work of repressing disorder and crime, but also with the higher positive office of promoting by all proper means the intellectual and the moral growth of the citizens. It repudiates the teachings of those shallow and short-sighted economists who would limit the public provision of educational facilities to the minimum with which the State can possibly exist. It assumes that it is just and wise for the State to place the

means of obtaining generous culture within the reach of the humblest and poorest child upon its soil. It has lying behind it the old Aristotelian conception of political society, as existing "not merely for the sake of joint livelihood, but for honorable deeds." It is in complete harmony with John Milton's grand idea of the State as instituted for something far higher than mere material interests. Is not that the only conception of the State which Christian philosophy will justify?

The distinguishing glory of several of the younger States of the Union is not found chiefly in that marvellous energy and unparalleled material prosperity which are so often and so justly the theme of praise, but in that wise prevision with which, while roads and bridges and comfortable houses and many of the other necessities of civilized life were still unsupplied, they consecrated a liberal share of their wealth of lands to the endowment of schools. Many of the founders of these States are still living to enjoy the beneficent triumphs which are due to their foresight. They see about them not only thoroughly organized systems of common school education, but also colleges and universities, which may soon rival in the amplitude and completeness of their outfit the oldest and strongest in the nation. As we gather here with glad hearts on this festival day, we cannot but recognize it as a fresh honor to the State that on yonder Campus a new and spacious hall is soon to lift its fair proportions towards the skies to testify,

so long as it stands, to the abiding and increasing interest of the State in the welfare of this Institution — an interest evinced not more by the liberality of the legislative appropriation than by the heartiness and promptness with which it was granted.

If the State, which thus establishes and sustains its University, shows a high ideal of work, so must the University, which worthily serves such a State, be ever inspired by the loftiest conceptions of its duty. In training the citizens, who are to shape the destinies of the State, it must aspire to the Miltonian conception of education, and do its utmost to fit them "to perform justly, skilfully and magnanimously all the offices, both private and public, of peace and war." It was with no exaggerated estimate of the functions and power of a university that Stein and William von Humboldt and Niebuhr and Schleiermacher and Savigny and their coadjutors laid the foundations of that splendid school at Berlin as the mightiest instrumentality in lifting Prussia from her deep abasement to that height of power from which she could look down in defiance upon her conqueror from beyond the Rhine. Could the world ask for a more brilliant vindication than it has just witnessed, of the wisdom of Prussia and the other German States, which have so generously sustained their great schools of learning? It was the scholarship and genius and discipline of Kant and Nitzsch and Mueller and Vangerow and Liebig and such as they, no less than the administrative ability

of Von Roon and the strategy of Von Moltke, which bore the banners of the Fatherland in triumph across the murderous ravines of Gravelotte and encompassed Sedan in the fatal walls of fire. The University must interpret its vital connection with the State as a call to the largest and best work attainable with its means. In that call it must find the stimulus to all strenuous endeavor. It may determine the culture, the civilization, nay, it may save the very life of the State, and is justly held responsible for the faithful discharge of its sacred duty.

The University in performing this work must have many fruitful relations besides these to the State which nourishes it. It cannot lead a life of isolation. It cannot bound its vision or its work by the narrow lines of a State or of a nation. It is a part of the great world of scholars. It hospitably flings its gates wide open to all seekers after knowledge, wherever their home. Remembering that it is one of the great sisterhood of schools, it constantly welcomes the light which the experience of other universities may shed upon its path. The unprecedented interest, which is felt both in Europe and in this country, in determining the aims of higher education, and the best methods of conducting it, lends a new charm and importance to the life of every university. It gives fresh impulse and enthusiasm to us all to feel that the scholars of every nation are profoundly concerned in our work, and are aiding in solving the educational problems which

are tasking our powers. Never before was the high calling of the teacher so delightful to the true man, who has his mind open to the suggestions which come pouring in upon him from every quarter, and who knows that the whole world is ready to weigh with candor any worthy suggestions which he may be prepared to offer. The public mind is now in a plastic, impressible state, and every vigorous college, nay, every capable worker, may help to shape its decisions upon education.

In England the discussion which has been going on for the last twenty-five years concerning reform in the great schools and universities continues with unabated zeal, grows more and more searching, and engages the most gifted minds. The ablest scholars are employed by Parliament to expose to the light of day the defects of the English schools, and to hunt through the world for ideas which may serve to improve the English methods of instruction. Almost every leading man in Great Britain has been constrained to discuss in some form the educational questions of the day. It is fresh in the recollection of all how the present brilliant and eccentric Chancellor of the Exchequer has caricatured the Oxford training in that fascinating style which he owes in so great measure to that very training, and has pierced his venerable mother with arrows which he drew from her own quiver. Mr. Froude left his portrait of Elizabeth unfinished on his easel and journeyed to Scotland to astonish the world with

his commendation of what the Germans might call a bread and butter education. While Oxford scholars were disparaging the classics, Mr. Mill, the great utilitarian, came forward to delight and instruct his hearers with a hearty recognition of the value of classical culture, and with a most admirable presentation of the relations of the various departments of human knowledge. The echoes of the recent discussions in the House of Lords on the influence of Oxford life on religion have hardly died away on our ears. Carlyle, Bain, Spencer, Farrar, Huxley, Arnold, and how many others have been making invaluable contributions to the elucidation of the questions which are raised in the work of education.

Germany was never more busy than now in perfecting her systems of higher education. Almost the first utterance of the French Academy of Science, after the fall of the late imperial government permitted freedom of speech, was an urgent demand for the reorganization of the University to carry the higher education of France up towards the German standard. Austria is showing that the secularization of education has opened a new career to her schools. And Italy is striving to renew the faded glory of those ancient universities which once drew thousands of students from the whole civilized world.

If we turn to this country, we see that during the present generation there has been more discussion

of the problems of collegiate and university training than had been known before since the planting of the New England colonies. College life in the main flowed on in one unbroken current from the foundation of Harvard College till the fifth decade of this century. Our colleges were constructed on the English model, and were all conducted in essentially the same spirit. There was nowhere such questioning of the wisdom of the one course as was raised so long ago as Bacon's time concerning the English colleges.

During the last twenty years not only educational journals, but the secular and the religious journals, the magazines and reviews, college faculties and corporations, the patrons of colleges, and all that great company of people who are interested in the character of our higher education, have been vigorously arguing to determine what the American college should aim to be and to do. This has been a period of groping, of theorizing, of experimenting, rather than of confident progress in any one path, which all would be ready to approve as the true one. Perhaps the element of highest value in this movement has been the wellnigh universal avowal of the belief that there is something yet to be learned concerning the aims and methods of higher education. This expectant, receptive, hopeful attitude of the guides of academic work has been itself a prophecy and a guaranty of improvement. Stolid complacency in a stereotyped system is the one insuperable

barrier to advance. Such epochs of nascent, formative life, what the Germans would call eras of becoming, of development, are always the most intensely interesting in history.

And it is in precisely this epoch that this University has been growing from infancy to maturity, and it is its glory and the glory of the wise and good men who have shaped its fortunes that it has played a most important and honorable part in solving the collegiate problems of the day. Its great influence in academic circles is admitted even by those who do not sympathize with the views which have here been cherished. It is too early to sum up the arguments in the discussions which have been carried on by college men for the last few years, and to expect that all will acquiesce in any verdict which can yet be rendered. But twenty years suffice to show whether there is a real drift of the main tide of intelligent public opinion in any direction. And there can be no doubt that there has been a real drift towards some of the important positions early taken by this University.

Two of these positions in particular may be named: first, the provision for a choice between different courses of study, and secondly, the furnishing of larger opportunities in the Modern Languages, in History, and in the Natural Sciences than were formerly afforded. Nearly every college in the land has made changes in its plan of work which recognize in a greater or less degree the desirable-

ness of accomplishing these ends. It may be fairly claimed that the satisfactory results of the experiments here have not been without a decided influence upon some of the older institutions of the East, while they have evidently determined the form of the State Universities which have been springing up in the West. These are facts on which this University may fairly congratulate itself. These are triumphs for which it should gratefully cherish the names of my learned and efficient predecessors and of their faithful coadjutors in the Board of Regents and in the Faculty.

But never in this era of educational discussion and experimental activity has there been a moment when the University could hope to learn so much from looking abroad as at the present, or when its own example could so profoundly affect other schools of learning; for at no time have the colleges and universities been so energetic in the trial of various methods, and at no time have they been so ready to welcome new ideas of college work, from whatever source they may come. While our contributions to the solution of all the problems of university life will be measured at their true value, we may perhaps well remember that academic circles just now watch with especial interest for the light which our experience may furnish on two points: first, the consequences in the long run of the dependence of the University on the State, and secondly, the results of the admission of women to the University.

It is still asked with some solicitude at the older denominational colleges whether the State can be relied on to furnish the needed support for this large and growing University, and whether the University can be guarded against the perils of partisan strife. The rapid progress of the Institution thus far, in spite of its various and grave embarrassments, has been a series of happy surprises to many who have watched it with interest. We at least will not doubt that the wisdom and the generosity of the State to whose usefulness and renown it has contributed so much, even in its brief career, will make its future yet richer in beneficence than its past, and will remove from the public mind every lingering doubt of the feasibility of building up a State University, which shall flourish and expand as long as the State shall prosper.

If the admission of women to this University is followed by no undesirable results of importance, then this action will, in my opinion, have a more marked influence on the colleges and professional schools of the country than any other event in the history of the Institution has ever had. The question of opening the halls of colleges to both sexes, which seems to be practically settled in the West, is attracting deep attention in the East. I think I do not err in saying that the number of academic men in that section of the country who are in favor of this measure is rapidly increasing. I believe that when it can be said with confidence

that the University of Michigan feels itself justified in declaring the experiment beyond dispute successful, the doors of several Eastern colleges will open to young women. And it is not extravagant to believe that the effect may be felt at some of the great European schools. The relation of this University to its sister institutions of high grade was therefore never so important as it is to-day. It becomes us to remember the high responsibility which this fact lays upon us. *Noblesse oblige.*

Honorable as has been the history of the University, there is no friend of it who does not wish to see it doing yet higher and larger work. The desire of intelligent men throughout the country for a few American universities which shall be to our high schools and even to some of our colleges what the universities in Europe are to the secondary schools of England, the lycées of France, and the gymnasia of Germany is so strong and pervading that it may be regarded as a prediction of the upbuilding of such institutions of highest grade. If the saying which Goethe somewhere gives us, "what one longs for in youth, one will have in advanced years," has any foundation of truth in the experience of Germans, it has yet more in the life of this nation whose energy makes a wish the prophecy of attainment. We must have these universities in time. But they cannot be imported ready-made. They cannot be extemporized. Like governments, they must grow. Most of them will be developed from existing insti-

tutions. Their roots will be found in the colleges. It would not be difficult to indicate which colleges in New England give the largest promise of reaching the true university standard of attainment.

I hope it may not be deemed improper for me to say, as one who has not been identified with this University in the past, that either the State or the University will be unworthy the vantage ground which has been gained here with so much money and toil, if this is not the first of the Western schools to satisfy the demand for the highest order of university work. Never for an instant should legislators or citizens or Regents or Faculty or students lose sight of that goal. Till that end is reached, our opportunities are not seized. Nothing less than that must content us. Precisely how or when this or any other American institution is to attain this development, or exactly what will be the organization and all the methods of the enlarged universities, we may not now be able to say. We Americans must feel our way carefully. As Lord Bacon says, "we must use Argus' hundred eyes before we raise one of Briareus' hundred hands." The work is one which requires great wisdom and patience.

Let us carefully guard against one peril. While aiming to reach university work at last, let us not underrate or neglect the strictly collegiate work to which the academic Department must for some time be mainly confined. Excessive haste and

impatient ambition may spoil good colleges without making even poor universities. It needs still however to be remembered in this country that calling an institution a university does not make it so. Neither do buildings, however imposing, nor endowments, however splendid, constitute a university. Nor does it convert a college into a university to abolish recitations and give all the instruction by lectures. I fear that the public do not sufficiently understand that the essential thing in a university is *men*, both in the students' seats and in the professors' chairs. Students who possess sufficient maturity of body, of mind, and of character, and sufficient intellectual furniture and training, to carry on with earnestness and persistence a high order of work till they can reap

"A harvest of wise purposes
Sown in the fruitful furrows of the mind;"

and instructors who are competent to guide and inspire such students, these make a university. Wherever such pupils and such teachers are pursuing the most generous culture of a civilized age, there are the essential constituents of a university, though, as in Bologna in the thirteenth century, the instruction is given in private houses of most modest structure, or though masters and disciples dwell in hovels of osier and thatch, like Abelard and his followers on the wild banks of the Ardrissan. The youthful Plato hanging on the lips of the barefooted Socrates in the streets of Athens, — can we find in the world

a picture of a more fruitful university culture than that? Give us Platos as professors and Aristotles as pupils, and though yonder halls be razed to the ground and our endowments swallowed up by disaster, we can still have in this quiet inland city a University which shall draw the studious youth even from beyond the utmost seas and shed its benign light over the whole world.

How many of our well-meaning countrymen have given their tens of thousands of dollars for the material homes of colleges and universities, and have made no adequate provision for securing the most gifted and devoted teachers? When will even good men learn that to endow a university with brains and heart, and not alone with bricks and mortar, is the part of true wisdom? The ideal teacher is a rare man, for whose coming, when he is found, the University and the State should give thanks. It seems to have dawned but recently on men's minds that teaching in the college or university is a special profession, in which as a rule a man can no more attain high usefulness without natural aptitude and appropriate training than he can in any of the other learned professions.

A man may have eminent success as a lawyer or a clergyman or a literary writer or even as a school-teacher, and may yet prove a very indifferent professor. If he is to succeed in university work, he must have, first, in the very make of his mind and soul, the divine call to teach, and

secondly, he should have a large general culture and a thorough special training in his own department. Unless he has the first of these qualifications, no degree of excellence in the second will crown him with success. He may be as learned as Scaliger or Erasmus, but if he has not in him the power of kindling another mind with the fire which burns in his own, if he cannot bring his soul into such close and loving contact with that of a receptive pupil that the latter shall be stirred by his impulses and fired with his enthusiasms and imbued with his passionate love of the truth he teaches, he has not in the highest sense the teaching power. The best part of the help which a genuine teacher gives to his pupil often consists not in the formal information he communicates on this or that topic, but in the magnetism, the inspiration, the impartation of his own scholarly and truth-loving spirit. To this enkindling power he should add a kind of perpetual youthfulness, a freshness of spirit, which keeps living and warm his sympathies with the young, and which enables him to see things from the student's point of view as well as from the professor's. He must also possess the ability and the desire to be ever learning. When a man stops acquiring knowledge, it is time for him to stop teaching. He cannot produce attractive and nutritious food for his pupils by incessantly threshing, in the same monotonous way, the very same straw which he has been turning over and pounding with his pedagogic flail for an indefinite

period. With this rare combination of talent, scholarship, and temperament he must also unite a pure and manly character and a certain heroic disregard of the high pecuniary remuneration which other callings in life offer to men like him.

Tell me if men who have wretchedly failed in other professions are likely to have sat for the portrait I have attempted to sketch? Tell me if men who are worthy of this vocation of the teacher do not deserve to be encouraged and honored and rewarded by the State which they serve? As Milton says, after completing his scheme of work for the school, "Only I believe that this is not a bow for every man to shoot in that counts himself a teacher, but will require sinews almost equal to those which Homer gave Ulysses." Happy is this University that it has had and still has so many such men in its corps of teachers. To them more than to any peculiarity of your methods is due whatever large and lasting influence the University has exerted.

Men are of more consequence than methods. Small men will accomplish little with the best methods. Men of large scope and culture will do much with any method which they will be willing to adopt. There is much discussion just now concerning collegiate methods, and it bids fair to be fruitful of good results. But under any system of college life which is likely to be followed in this country, the best work will probably be done where

the students are best prepared for their study and the professors best prepared to instruct. As the soul of a nation is in the spirit of the people rather than in the words of their constitution, so the soul of a university is in the men who compose it rather than in its plan of organization. If it is to have the highest success, it must be able to command the services of the choicest teachers and to remunerate them so that they can give their best vigor to their professorial work.

If now we are to lift the grade of university work, we must lift the grade of preparatory work and receive our students only at a more advanced stage of training than they at present reach before entering the Freshman class. I learn from the interesting Report of President Frieze that the average age of the students who are admitted here is very nearly that of the university students in Germany. Could they thoroughly accomplish the collegiate work of the first two years before commencing here, we might make their course compare favorably with that of the European universities. For the superiority which the graduates from the German gymnasia have over our Junior classes in the knowledge of the classics would be, I think, in part at least counterbalanced by a superiority of the American student over the German in a larger general knowledge of matters beyond the range of his school studies, and in a greater readiness in the practical application of his learning.

Now the addition of the studies of the first two years to the preparatory course would be no greater advance upon the present work of the schools than has actually been achieved since the beginning of the century. Already there are not a few schools in the country which can give and would gladly give the instruction of the Freshman year. The time is not distant when the better and stronger institutions can safely push up their requirements for admission to the standard now reached at the beginning of the Sophomore year, and I am confident that the day is not very remote when they can secure yet higher attainments. The teachers of academies and high schools are generally more than willing to do their part in accomplishing the result, since the character of their work and the tone of their schools are thereby necessarily raised.

So far as I have observed, this enlargement of preparatory work is easily attainable, and is even more necessary in the scientific than in the classical department of our colleges. The mathematical course, at least up to trigonometry, the elements of physiology, botany, and physics, some help in French, and a year's study or more of Latin may now be furnished in many of the high schools of New England and, I doubt not, in many schools in the West. So much, I think, it would be very desirable to secure at an early day from those who pursue scientific courses. The Latin indeed may be waived for a time, but the best scientific schools abroad and here are agreed that it is very helpful to their pupils.

To secure this elevation of our work there must be the heartiest co-operation of the University and the schools. It would have been a happy completion of the public school system of the State if an organic connection like that between the German Universities and the gymnasia had been established. But there may be such a virtual, if not a formal, connection, and to accomplish this end the University should spare no efforts.

It must be confessed that generally the schools in this country are quite as ready to furnish the advanced instruction as colleges are to insist on it with rigor as the indispensable condition of admission. The courage of most college faculties or corporations wavers when a considerable number of applicants for entrance are about to be cut off by a new rule. Of course good sense must be used in deciding how fast and how far the standard shall be raised. But the courageous course here as in other matters is often the best rewarded. As a rule the colleges whose classes are increasing most rapidly are those whose requirements for admission and whose scale of work are highest. The better and more aspiring students justly conclude that from such institutions they will receive the most benefit. Certain it is that the best interests of this University and of good learning require us to make increasing, earnest, and judicious efforts to push the work of the preparatory schools to a higher and higher plane.

If properly supported, the University can by wise and persistent endeavor continually approach its ideal of giving the largest general culture and the most thorough and extended special training in technical and professional study. It would seem superfluous to remark that, at least throughout the undergraduate department, the instruction should be so shaped as to make the development and discipline of the faculties the primary object, were it not questioned by some whether it is expedient or even practicable to conduct such scientific courses as are given here with that high aim. Now without opening the vexed question of the relative value of the culture which flows from the humanities and of that which is given by the natural sciences, every one must admit that these latter studies can be so pursued as to give admirable training to the faculties of observation, imagination, and reasoning. It is not easy to see how they can be efficiently taught without producing that result. They should be taught with a disciplinary as well as a practical aim, because thus will the most valuable practical results be achieved. For what is disciplinary instruction in a science except instruction in the processes of observation, induction, and deduction, by which the principles of the science are established or verified, and such instruction as shall lead the student to perform those processes himself? Shall we be told that the student will be best or more rapidly fitted for the practical application of the science by using

formulæ and facts as his tools, without attempting to comprehend the underlying principles?

To ask the question in this presence is to answer it, and I appeal to any teachers of natural science to tell me whether the clear perception by the pupil of the practical bearing of his study upon the work of his life ever lessens his interest in the fundamental principles of it, or weakens his susceptibility to the culture to be derived from a thorough comprehension of those principles? Other things being equal, will not those persons who are most interested in a study receive the best culture from it? Only in this possibility of imparting genuine culture to students by the use of the mathematics and the natural sciences can be found the intellectual justification of the plan pursued here of uniting classical and scientific students in the same classes. If the scientific and mathematical training of any candidate for graduation has not fitted him to use all the faculties, which have been appealed to in his course, for effective service outside as well as inside of his particular profession, then it has failed of its highest usefulness, and his profession will be exercised by him only as a trade.

Our schools of law and medicine have contributed much to the renown of the University. Some of the best professional schools in the country are, like the colleges, trying important experiments in courses and methods of instruction, and these will receive the attention of our vigilant Faculties. It is uni-

versally confessed, I believe, that it would be advantageous to secure some larger qualifications in those who are allowed to matriculate in the American schools than are now required of them. At present the obstacles to such a reform seem to be very grave. But we must hold ourselves ever ready to take such action in common with other guides of professional learning as is worthy of our position and history.

It is to be hoped that we may soon induce a considerable number of young men to pursue what may be termed graduate work in other departments besides those of law and medicine. The increasing desire for large attainments in linguistic studies and in the natural sciences, the pressing necessity of training a numerous class for the chairs of instructors in our higher schools and colleges, the facilities which we have for beginning this work of advanced instruction, and the example of the leading universities in the Eastern States are so many arguments in favor of trying this important step in genuine university work, whenever students are ready to receive this help at our hands.

There are other studies in which our graduates may perhaps yet be led to labor for some time. For instance, the increasing number of alumni who are entering the important profession of journalism, which is constantly drawing men of higher talent and attainments to its service, and which is certainly second in influence to none of the so-called learned professions, might profitably pursue special studies

in history, literature, political economy, political philosophy, and international law. While it may perhaps be as truly said of the great editor as of the great poet, *nascitur, non fit*, still the truth should be recognized both by students and by universities that most valuable preliminary training may be furnished for the duties of the journalistic profession.

Many, who are best fitted to judge of the intellectual needs of our country, are so deeply impressed with the importance of securing advanced instruction for our most promising students that they are recommending men of generosity to endow fellowships, which shall enable a certain number of picked scholars to prolong their course of study. This is a kind of benefaction which may well claim the attention of those who wish to devise liberal things for the young men and the young women of the West. Some of the Eastern colleges have already received such an accession to their resources and are beginning to perceive the beneficent results.

May we not indulge the hope that not only in this way, but in various ways, the University may profit by the generosity of her sons and of many other friends of sound learning? She is, and perhaps must be, dependent on the State for her chief help. But now that for more than a score of years she has been sending forth her sons into all honorable callings and professions, may she not reasonably expect that those who have been crowned with prosperity will rejoice to testify their indebtedness to her by in-

creasing her power and usefulness? Many colleges find this grateful and active help of their alumni a perennial source of refreshing and strength.

The Library, the Museum of Art, and the Observatory already bear witness to the deep interest of large-hearted men in this University. For some years successive graduating classes have been leaving behind them tokens of their generous and filial love for the University, and to my mind there is and can be no more convincing proof of the healthy life of the Institution. The benediction which her parting sons pronounce is at once a benison and a prevalent prayer for future blessings. These gifts of our young friends, we may well believe, are the first-fruits of that harvest with which the University shall be enriched by private munificence. Let it not be thought that the aid furnished by the State leaves no room for such munificence. Any one familiar with the University can readily suggest uses to which benefactions may be wisely devoted. Endowments of professorships, a gymnasium, which shall furnish opportunities for physical training, a building suited to accommodate the Library and the Art collections, a Laboratory with the needed apparatus for experimental instruction in physics, these, the most casual observer would say, are much to be desired.

There is no more creditable chapter in American annals than that which records the liberality of our citizens to our institutions of learning. Never before

has that liberality been so marked as during the last ten years. It may now be accepted as a settled principle in American life that no college of established strength and reputation, which is so conducted as to deserve to have its life continued, shall long lack for the supply of its substantial wants. But it is of vital consequence that this University, or any one which deserves the public favor, should be constantly improving in some respect. If it is resting on its laurels, if it is sitting down satisfied with its past achievements, if it is not incessantly asking "how can I do more or better work," it does not deserve to be favored or helped. It is in danger of dying of dry-rot. It is not well to have spasmodic periods of advance followed by decline. Every year should bring some gain. In this day of unparalleled activity in college life, the institution which is not steadily advancing is certainly falling behind.

An argument for generous and increasing aid to the stronger colleges is found in one embarrassment to which they are just now more subjected than the weaker ones. This embarrassment consists in the great increase of students, whose numbers often multiply more rapidly than the resources of the colleges. The tendency to centralization which is seen in many characteristics of American life is notably prominent in the colleges. Students are more and more inclined to resort to the institutions which have large classes and resources. This subjects such colleges and uni-

versities to a new stimulus, but also to new responsibilities, often to new embarrassments. The stimulus must incite them to shoulder the responsibilities with courage and to push through or over all the obstacles. No better illustration of such action could be found than is afforded by the history of this University during its years of wonderful growth. With heroic endeavor and untiring patience its officers have met the rapidly increasing demand upon them with a success which even they would not have dared to predict. Still the number of applicants for admission swells year by year, and no reason appears why it may not continue to increase so long as the University continues to multiply its attractions and enlarge its facilities for instruction.

This fact should not only spur the instructors to their best efforts, but also should move the patrons of the University to give us the means with which to discharge the duty that the very prominence of the University lays upon us. No one would wish us to fall back to the second rank of higher schools. No one ought to be satisfied with our remaining where we are. The steady enlargement and improvement of the work of a university like this means constant and important increase of resources.

This is a fact which we may ask the State and all friends of the University to bear ever in mind. The State as the great patron and protector of the University has a right to ask that it do the best work possible with the means at its command, that with

enlarged resources its activity and usefulness be increased, that it do not become the refuge of dawdling *dilettanti* or of curious pedants, either as students or teachers, that the Christian spirit, which pervades the laws, the customs, and the life of the State, shall shape and color the life of the University, that a lofty, earnest, but catholic and unsectarian Christian tone shall characterize the culture which is here imparted. It may fairly demand that the University do not, as some institutions have done, when they have waxed strong and rich, shut itself off from living sympathy and contact with the great body of honest, toiling men who help to sustain it, but that it show in the lives of its graduates how its culture enriches and strengthens and adorns the whole life of the State, that it make it plainly manifest to each intelligent citizen that every appropriation to the University sows seeds in the most fruitful of all soils, and swells that rich harvest of intellectual force and manly character which is the greatest treasure and highest glory of any commonwealth.

The right of the State to ask all this implies also the right of the University to expect that the State will furnish the most efficient aid which it can afford. Nor should this aid be regarded as a charity, any more than the appropriations for public schools or for the support of the judiciary. If the State has deemed it wise to found and aid the University, it is the part of common prudence and good sense for the State to sustain it generously and to give it the

greatest practicable efficiency. A crippled institution, which can only half do its work, is hardly worth supporting at all. In maintaining schools and colleges liberality is true economy.

Again, the University cannot do its work with the highest success unless it have a certain degree of independence and self-control. It has therefore a right to expect that this privilege will be conceded to it. Written law or the unwritten law of common consent should shield it from the sudden outbursts of partisan passion and from the assaults of designing men. It must be able to have some fixed and definite plan and purpose running on through a series of years. It must have stability of character and life. The general nature and the details of its work should be determined by those who are charged with the immediate responsibility of administering its affairs. No other men in the whole State can have so deep a personal interest in securing its prosperity as the Regents and the Faculty. The brilliant success which they have achieved for it in the past justifies the belief that the direction of its policy cannot be confided to better hands than theirs.

No undue restraints should be laid upon the intellectual freedom of the teachers. No man worthy to hold a chair here will work in fetters. In choosing members of the Faculty the greatest care should be taken to secure gifted, earnest, reverent men, whose mental and moral qualities will fit them to prepare their pupils for manly and womanly work in pro-

moting our Christian civilization. But never insist on their pronouncing the shibboleths of sect or party. So only can we train a generation of students to catholic, candid, truth-loving habits of mind and tempers of heart.

The State and the University should feel that their interests are identical. The prosperity of the University is bound up in that of the State. Michigan cannot grow stronger, wiser, and happier without strengthening her principal seat of learning. The University is therefore constrained by every motive of enlightened self-regard, as well as by her unquestioned loyalty, to remain true to the interests of the State.

On the other hand, the State can hardly overestimate her indebtedness to the University. This school has shed its blessings upon all classes and professions of men. It has given the best culture of the times to the poor as well as to the rich. In this respect its bounty has been even more marked than that of the common school. For hardly any boy is so poor that he might not, if necessary, obtain at his own cost the rudiments of education. But how few of our young men who have, almost without price, enjoyed the benefits of the ample resources of this University could possibly have paid the actual cost of their collegiate education. A great University like this is thus in one sense the most democratic of all institutions and so best deserving of the support of the State. This school has flooded

with its light and strengthened with its strength all the subordinate schools. It has helped to lift the whole system of education in the State through the agency of the parents, teachers, and superintendents, who have carried from its halls lofty ideals of intellectual work. It has won for the State an enviable renown among all friends of learning in this land, and has caused the name of Michigan to be spoken with gratifying praise beyond the Atlantic.

All history attests that there is no instrumentality by which modern nations have done so much to increase their strength and happiness, to perpetuate the influence of their ideas, to win the honor and gratitude of mankind, as by their great schools of learning. Bologna, Salerno, and Padua thus stretched the sway of Italy far into transalpine lands. Paris has for centuries been the intellectual exchange of Europe. Oxford and Cambridge have helped to mould the lives and daily thought of every one of us. The sceptre of Berlin and of Bonn rules over a territory a hundred-fold wider than that which Bismarck has laid at the feet of his Imperial master. Dynasties come and go, Bourbons, Napoleons, Tudors, Hohenstaufens appear and disappear, kingdoms and States rise and fall, but amid all the vicissitudes of earthly affairs the great universities are the most vital and enduring of all human institutions.

This University is yet comparatively in its infancy. Citizens of Michigan, you who are now building its walls are really laying foundations. Let no penny-

wise economy tempt you to use untempered mortar. Divine Providence has opened to you a golden opportunity, such as comes not often in the history of a State. Seize upon it with thanksgiving. Show by the largeness of your work that you appreciate the call, and the favor of Heaven shall rest upon you and generations shall rise up to call you blessed.

II

THE HIGHER EDUCATION

A PLEA FOR MAKING IT ACCESSIBLE TO ALL

JUNE 26, 1879

AN ADDRESS DELIVERED AT THE ANNUAL
COMMENCEMENT OF THE
UNIVERSITY OF
MICHIGAN

II

THE HIGHER EDUCATION: A PLEA FOR MAKING IT ACCESSIBLE TO ALL

UNTIL within a few days we have cherished the hope of listening at this hour to a distinguished scholar and orator from a sister State.[1] But, unhappily, our hope has been disappointed. In this exigency the kindly urgency of my associates in the University Senate has constrained me very unwillingly and after hurried preparation to offer you some thoughts which, I trust, may be found not unfitting the occasion.

No one here can regret more profoundly than I the necessity which calls you to listen to a voice so familiar as mine and so suggestive, I fear, to my younger friends, of the recitation room and the daily routine of college life, rather than of the joys, the enthusiasms, the inspirations which this great festal day of the University should awaken in all hearts. Fortunately the success of this occasion does not depend on me. It is already assured in the spectacle, which has so perennial an interest, of a goodly company of young men and young women appearing upon this stage to receive their testimonials of work faithfully accomplished, and turning away to confront

[1] James A. Garfield, afterwards President.

the stern duties of life, in this vast concourse of alumni and other friends of the University, and in the devotion to the dear mother of her children, who gather from distant homes under her ample roof-tree, while their hearts run together in the joy of a common love to her.

As we assemble on these high days at these shrines of learning, we instinctively call to mind those noble and far-sighted statesmen to whose wise and generous forethought the greatness and the very existence of this Institution are due. It should be one of our sacred duties, as well as delights, to imbue ourselves with the spirit in which they wrought for the founding of a free school of letters, science, and arts.

The story of this work is so familiar that I need not repeat it in detail. But let us keep clearly before us the important fact that the fathers who drafted and adopted that great charter of liberty and learning for the Northwest, the Ordinance of 1787, in which they declared that "schools and the means of education should forever be encouraged," carried, in their conception of a State, a distinct idea of a richly endowed university as a part of its furniture and its life. They and their successors in Congress provided for the support of such institutions in the nascent States of this region with what was then so munificent generosity that clearly they expected the higher education would be within the easy reach of all. It may well be that even in their brightest dreams of the future of the territory which they

were consecrating to freedom, to religion, and to intelligence, they did not see that in less than a century, as the fruitage of their sowing, in all these Northwestern States schools and colleges should spring up like the stars in the sky for number. Still less, perhaps, did they imagine that before the centennial celebration of the birth of the nation there should arise and flourish in this State of Michigan, then an almost untrodden wilderness, fringed by a few weak settlements on the river and the lakes, a university which should surpass in the number of its students and teachers, the amplitude of its endowments and the wide reach of its influence, the Harvard, the Yale, the Princeton, and the William and Mary of their day, and should win an honorable name on every continent of the globe. Yet this possibility, now become fact, lay coiled as a germ in the Ordinance of 1787, that *gentis cunabula nostrae.*

The wise men who shaped the organization of this State steadily cherished the idea which was inherited from the fathers, of building a university in which their children, whether poor or rich, could obtain the higher culture of their minds. The plan of a university marked out by the territorial government in 1817 was one which for breadth and completeness of conception we can even now only admire. The language of the Constitution of 1835 shows that its framers had the broadest and most generous views of public provision for the support of libraries, education, including higher education, and especially of the University.

We may say, therefore, with strictest truth, that this idea of large and liberal supply of facilities not only for common school training, but also for university education, was inwrought into the very conception of the State of Michigan. It has from the beginning formed a part of the life of the State. It has never been lost, but has grown with the growth of the State, and strengthened with its strength. And it has, I believe, never had so firm a hold upon the State as it has to-day.

In the light of accomplished results, when we consider how little the total cost of the University has been to the State, less than half a million of dollars, not more in fact than these buildings and grounds and museums and libraries are worth; when we remember that it has sent forth fifty-seven hundred graduates, most of them persons of humble means, equipped for duty in all worthy callings of life; that the names and the works of its Professors are known and respected on both sides of the Atlantic; that it is recognized, we may modestly say, as taking rank with the best universities in the land, and that it has helped in no small degree to make the name of Michigan known wherever the cultivation of science and letters is respected, may we not gratefully and truly declare that the fathers, whose legislation made this career of the University possible, had an exalted and statesmanlike conception of the duty of the State to the higher education?

I think, therefore, I shall be acting in completest harmony with the true spirit of Michigan if I employ the hour assigned me this morning in enforcing and illustrating this truth:

That it is of vital importance, especially in a republic, that the higher education, as well as common school education, be accessible to the poor as well as to the rich.

Notice that this implies that either through public or private endowment the higher education shall be furnished at less than its cost. From time to time there appear some impracticable theorizers — and they are too numerous just now — who lift up their voices and invoke the economic laws of supply and demand and the *laissez aller* doctrine in condemnation of endowments of schools of learning. But if colleges and universities were required to exact of students fees which should fully repay the cost of instruction, the poor must, with few exceptions, be shut out from them. Should we say nothing of the interest on the capital represented in the real property of the average American college, it would cost each student from one hundred to two hundred dollars a year more than is now paid if the actual cost of the instruction were returned to the treasury of the institution. If the interest on the amount invested in the buildings, grounds, libraries, and collections were to be made good by the fees for tuition, the annual cost to each student would probably be increased by from four hundred to six hundred dollars.

Obviously the great mass of the men now in the colleges would be excluded. The higher education would be, as a rule, within reach of the rich alone. As it is, even now many are able to complete their course only by self-denial and by labors which are really heroic. Now, what I affirm is that any arrangement that should leave the higher education accessible to the rich alone would be in the highest degree unwise. In support of this statement I have to say:

1. It is in itself fitting, and, in a certain sense, it is due to children as human beings, that the poorest child should have proper facilities for obtaining by reasonable effort the best development of his talent and character. I think I may appeal to the common sense and the general feeling of civilized men in recognition of this truth. One of the highest ends of society is to help men make the most of themselves. True, as I shall soon show, this is partly because it is for the interest of all, of society at large. But beyond that we instinctively recognize it as a duty to do what we can, both individually and through the organized action of society, to open to every child — and for the child's own sake — a fair chance for the best start in life for which his talent fits him. I know that we often justify our providing a free common school education simply by showing the necessity of such an education as a preparation for citizenship. But I believe that down in our hearts there is a profound satisfaction, and

often an impelling motive to our action, in the conviction that we are doing simply what is just, what is due to every child as a human being, in giving him an opportunity to kindle into a flame any divine spark of intelligence within him. Is it too much to say that the infant born into a civilized and Christian society has a right to claim something more than a bare possibility — has a right to claim a tolerable probability of such moral and intellectual surroundings as shall make education and character accessible to him, if he has a fair amount of talent, self-denial, and energy? For the moment I am not considering whether his claim should be met by legislation or by voluntary action. But that it should be met by society in some way, I think, will be generally conceded.

What more touching spectacle is there than that of an ingenuous and high-spirited youth, consumed with an insatiable thirst for knowledge, endowed with faculties that might make him the peer of the greatest, yet chained by the heavy hand of poverty through all his best years to the foot of the ladder, on which his aspiring soul would, if unfettered, so easily and so joyously have mounted to the stars. His indomitable energy may enable him at last, after years of heavy struggle, to attain a lofty height. But would it not be a blessed act, would it not be a just and wise and righteous act, to relieve him of so much of the struggle as is not needful for the discipline of his soul, and to secure to him as well as

to society years of his most fruitful work? As the magnet draws the particles of steel from the dust and lifts them into view, so the common school system, stretching out its sensitive and generous hands to every child in this commonwealth, lifts the exceptionally gifted into notice, makes him and his friends cognizant of his power and his promise, kindles in him the flame of a noble ambition for learning, and compels us to recognize the duty of society to smooth the way from the cradle of talent in the humblest log hut to the halls of the highest learning. To stimulate to the utmost the ambition of these pupils by your schools, to set their minds on fire with this unquenchable desire for ampler culture, and yet to make that culture practically inaccessible, to slam the door of the college in the face of every one who is poor, were illogical and cruel and unworthy your boasted civilization.

2. But we need to make the higher education accessible to the poor, not merely on account of the poor and gifted scholars themselves, but also because this is best for society. We need all the intelligence, all the trained minds we can have. There is never a surplus of wisdom and true learning. There is often a surplus of pedantry. There is often an excess of false pride on the part of those who have not talent enough to shine in purely intellectual pursuits, and who foolishly hold themselves above the only pursuits for which, with all their advantages of education, their moderate mental endowments

fit them. But these are merely incidental evils belonging to any system of higher education. Of strong, well-balanced, well-furnished minds we cannot have too many. They are the true riches of a nation. Without them the mines of El Dorado cannot make a people rich or strong. With them the dwellers on a desert may become prosperous and invincible.

Now, God bestows talent with impartial hand equally on the rich and the poor. He sows the seeds of genius in what might seem the unlikeliest spots. He often places the choicest jewels in the humblest settings. His rarest gifts of mind are dropped in the obscurest homes. As the son of Sirach has told us, "Wisdom lifteth up the head of him that is of low degree, and maketh him to sit among great men." It was on an Ayrshire peasant that Heaven bestowed the power of the sweetest song that ever rose on the Scottish hills. It was to the blacksmith's son, the bookbinder's apprentice, Faraday, that the electric currents, in their rapid and unseen flight, paused to reveal their secrets. It was given to a colliery fireman to harness steam to our chariots and bear us as on the wings of the wind across the continent, and so to revolutionize the commercial methods of the world. It was on a man whose origin is so obscure that his parentage can scarcely be traced that God laid the responsibility and conferred the power of leading us out of the disgrace of slavery and the blackness of darkness of civil war

into the sweet light of true freedom and welcome peace. It is to a Michigan telegraph boy that God lends so divine a vision that he sees and measures and harnesses to his service the subtlest forces of nature. The scientific savans of the world look on in wonder as at the command of Edison dumb matter speaks, the word which died away upon the empty air weeks ago gains a resurrection and falls again upon our ear with a living voice. As distant Arcturus, more than one million and six hundred thousand times as far away from us as our sun, reports visibly to him the almost infinitesimal quantity of heat which its pencil of light, after travelling its weary journey of more than five and twenty years, has brought with it to earth, we ask in amazement what revelation is next to be made through this interpreter, for whom nature seems to have lost her wonted coyness and secrecy.

No nation is rich enough to spurn the help which God gives in such rare minds as these, though their childhood is housed in hovels. No nation should be so short-sighted as to pile up obstacles in their path, or even to leave any which can be removed. As the husbandman at the foot of the western Sierras, at great cost and with infinite pains, makes a secure channel to bring the fertilizing mountain stream to his fields, guiding to it every rivulet which can swell its volume, and thus makes the parched desert blossom like the rose and wave with golden harvests, so may a nation well do much to smooth the way for

its gifted children to enlarge their faculties, to enrich their minds, and thus pour far and wide the beneficent streams of their influence, and give us richer harvests than those of corn and wine and oil.

3. Again, we need to put the higher education within the reach of the poor, because we cannot afford to endow the rich alone with the tremendous power of trained and cultivated minds. To do this might form an aristocracy of formidable strength. So long as the poor have anything like an equal chance with the rich of developing their intellectual power, we have little to fear from an aristocracy of wealth; but let wealth alone have the highest intellectual training, let the poor as a class be shut out from the schools of generous culture, and we must either consign the control of all intellectual and political life to the hands of the rich, or else have a constant scene of turbulence between the ignorant many and the enlightened few. Bitter class hatred would be inevitable. There can be no stable equilibrium, no permanent prosperity for such a society.

Learning, too, would probably soon give place to pedantry, displayed like the ribbons and orders of a petty German court. The scholarship which is a mere concomitant and badge of wealth would become vain and meretricious and shallow.

Yet there are men who, professing to speak in the interests of the poor, of true learning, and of sound philosophy, inveigh against a system like that which in Michigan opens the doors of all learning to the

humblest as well as to the richest child, and insist that we shall make every one pay to the full the cost of his high school and university education. Do they not see that this would be a matter of little consequence to the rich, who could easily secure their training at any expense, but that it would consign the poor children, however endowed with talent, to the humblest acquisitions of learning or to the most trying struggle to attain to true culture? It is in the interest of the poor, it is in the interest of true and enlightened democracy, that we insist that the highest education shall be accessible to all classes.

The most democratic atmosphere in the world is that of the college. There all meet on absolutely equal terms. Nowhere else do the accidents of birth or condition count for so little. The son of the millionnaire has no advantage over the son of the washerwoman or over the liberated slave, who has hardly clothes enough to cover his nakedness. Nowhere in the world is a man so truly weighed and estimated by his brains and his character. God forbid that the day should ever come when the spirit of snobbishness or aristocracy or pride of wealth should rule in our college halls.

Talk about oppressing the poor by sustaining the University! It is the sons and daughters of the men who are poor or of very moderate means who form the great majority of the students here and in almost every institution of higher learning. I could move

your hearts to pity or to admiration if I could call one after another of many whom I see before me on this occasion to come up here and tell what toils they have performed for long and weary years, what hardships and privations they and their parents have endured to gather up the few hundreds of dollars needed to maintain them with the closest and most pinching economy during their few years of residence here. I hope that those who practise high thinking and plain living will always be in the majority on these grounds. Sad, indeed, will it be for the University and sad for the State when such as they cannot by manly effort secure to themselves the best help which the resources of this school can offer to them.

Anything more hateful, more repugnant to our natural instincts, more calamitous at once to learning and to the people, more unrepublican, more undemocratic, more unchristian than a system which should confine the priceless boon of higher education to the rich I cannot conceive.

Have an aristocracy of birth if you will, or of riches if you wish, but give our plain boys from the log cabins a chance to develop their minds with the best learning, and we will fear nothing from your aristocracy. It will speedily become either ridiculous or harmless, or, better still, will be stimulated to intellectual activity by learning that in the fierce competitions of life something besides blue blood or inherited wealth is needed to compete with the brains and character from the cabins.

4. Another cogent reason for opening the privileges of higher education to all classes in this country is found in our distribution of political power throughout the community. The largest part of the public action which most concerns us is taken or determined by local organizations. The successful working of our republican system depends upon the distribution through the smaller towns and villages and through the rural districts of men of intelligence. If all the cultivated minds were concentrated in one capital or in a few great cities, we could not perpetuate our form of government. Any strong tendency toward such a result must seriously interfere with the purity and efficiency of our institutions.

We need, therefore, to reach with our best training men drawn from all classes, from all pursuits in life, and men who are to return to all honorable and worthy vocations, not alone in the great cities, but in all parts of the land. It is by this diffusion of the educated men, and by the diffusion through them of the direct and indirect advantages of education among the inhabitants of every town and hamlet, that a great school of learning does its highest work and justifies its claim to support by the whole people. It disseminates over the whole State men who are trained to be intelligent leaders of thought, to enlighten their neighbors on important affairs, to expose the fallacies of charlatans in politics, science, and religion, to keep alive an interest in education, to discharge all the duties of citizenship, and, if

need be, of public office. It thus keeps the whole body politic vigorous and healthy with the life-giving currents which it sends to the extremities, as well as with the strength which it lends to the heart. It is not true that it blesses only the men who receive its degrees. Through them it blesses all around them. Its graduates are often the medium of greater blessings to others than to themselves. Mark the venerable physician, who, trained to the highest professional skill in its halls, has ministered with unselfish devotion for a generation to the sick and suffering. Has he or have they been most blessed by his education? Take the lawyer, whose advice for years the widow, the orphan, the poor have instinctively sought, whose opposition the criminal has dreaded, whose counsel and guidance the town, the county, the public have always desired in every emergency; has his power been only or chiefly a good fortune to himself? In a large sense it is true that the advantages of the higher education cannot be selfishly monopolized by the recipient of it. It is not truly enjoyed, it can hardly be used in any honorable way without conferring benefits on others. You might as well talk of the sun monopolizing and enjoying alone the light which is generated in it as talk of a scholar monopolizing the advantages of his education. The moment the sun shines, the wide universe around is bathed in its life-giving beams. Intellectual activity is necessarily luminous, outgoing, diffusive, reproductive. The graduates

who are going out from this University are not taking with them hidden treasures to enjoy in secret as the miser gloats in the solitude of his garret over his gold, but rather precious seed which they will sow in every town and hamlet of this broad State, while the thousands about them will share with them the harvest of their sowing.

I need hardly say that any system which should confine the best education to the rich would greatly curtail this diffusion of the blessings of education and would, doubtless, tend to concentrate the educated men almost entirely in the great cities. Is it too much to say that it would tend to political centralization and to a loss of the inestimable advantages which flow from the wise and vigorous local administration of public affairs, and from the comparative homogeneousness in our society caused by the distribution of educated men throughout our communities?

5. The general opinion of mankind in all Christian lands has favored some plan of bringing liberal education within the reach of the men of humble means. It has been reserved for these latter days to make the discovery that there is danger in thus opening the fountains of learning to the poor as well as rich. For the most part the direction of education has been in the hands of the church. Now whatever criticism may be made upon the church through these eighteen centuries, she has with impartial hand held wide open to men of high

and of low degree alike the gates to generous learning. She has encouraged and persuaded the rich to endow her schools and colleges and universities, so that the instruction might be almost, if not entirely, free. She has taught them to found scholarships and fellowships, which would enable the poorest boy to spend the best years of his youth and manhood in the still air of delightful study.

The rulers of every nation of Europe have cherished their great schools of learning as the choicest jewels in their crowns. They have lavished wealth on them and endowed them so richly that at most of them the cost of instruction is little more than nominal, and peasants and princes are found on the same bench listening to the lectures of the great scholars in every science. What glorious monuments of wise generosity these universities have been! Royal houses have risen and disappeared, kingdoms have come and gone, the map of Europe has been made and remade again and again, but the great mediæval schools, to whose halls centuries ago thousands of eager scholars trooped from all parts of Europe, still stand fresh in eternal youth, welcoming with princely hospitality poor and rich to their halls, pouring out their streams of blessing from generation to generation and from age to age, with a flow as copious and as unceasing as the Danube or the Rhine. If we may judge by the past, what work of man is more enduring or more beneficent than a strong university?

In this country, too, where the early settlers began to lay the foundation of our most venerable university before they had made comfortable homes for themselves, we find public and private generosity vieing in supplying the wants of the infant college. While the colonial authorities voted appropriations, we see the self-denying men and women stripping their scanty libraries of books and their ill-supplied tables of crockery to equip the struggling institution, whither the sons of all might repair to be trained for every worthy work in State and church. Contributions were solicited for the maintenance of poor students, so that, to borrow the language of an early president to the United Commissioners of the Colonies, "the commonwealth may be furnished with knowing and understanding men and the church with an able ministry."

From that time to this it has been the aim of the guardians of that ancient university, and of every college which has been established in the land, to furnish education at such a rate that boys of modest means could procure it. Not one such institution has been administered on the theory that the students should pay the full cost of the education furnished. Endowments and scholarships have been sought and secured. In some cases so liberal provision has been made that prudent students, it is reported, have actually been able to meet their expenses and lay aside a balance. In some parts of the country, it is said, there has sprung up between colleges

an unseemly competition in securing students by bidding for them with pecuniary temptations. But these abuses and indiscretions at least show how deep-seated is the conviction in the American mind that poverty shall not keep a gifted youth from the opportunity for a liberal education. This conviction is happily so firmly rooted there need be no fear that it will be conquered by the *laissez aller* theory, which would make no special provision for placing the higher education within the reach of those who cannot defray the full expenses of it.

But from that section of the country which is most amply provided with privately endowed colleges, even from those States whose oldest colleges were established, or in their early days assisted, by legislative appropriations, we sometimes hear exception taken to the method by which this and other Western universities have been endowed and sustained; namely, by grants of land and by taxation. The educational problem before the early settlers of Michigan and other Western States was peculiar. These States were occupied rapidly and for the most part by men and women who had been well trained in schools and colleges. They were extremely desirous that their children should be thoroughly educated. The National Government had given them an endowment with which to begin a university. They had energy, ambition, a love of intelligence, but they had little ready means for the planting of colleges. They saw plainly that to build up by pri-

vate benefactions a first-rate school of higher learning, like the best in the East, would require here, as it had required there, a hundred years of toil. Meanwhile, their children and their children's children would have passed away. Two or three generations must live and die without the facilities for training which a strong and thoroughly equipped school could furnish. Was there any question what they ought to do? Plainly, the wise policy for them was to avail themselves of the national endowment, and then, if need be, to supplement it as prosperity should bring the State ampler means.

It was not until 1867, when the University had already become strong and renowned, when the pupils were more numerous than those of any other institution in the land, that the State was called to give the first penny to its support, and then the whole appropriation was fifteen thousand dollars a year, which was just one twentieth of a mill tax on the appraisal of the taxable property of this rich Commonwealth. The total sum received by tax for the University and drawn from the State treasury down to January, 1879, is in round numbers four hundred and sixty-nine thousand dollars. If we compute this as distributed over the entire time since the foundation of the University we shall find that it is an average of twelve thousand dollars a year, or one fifty-second of a mill on the present valuation. A man who is taxed on one thousand dollars would pay not quite two cents a year. This

is the oppressive burden which the University has laid on the tax-payer for the support of an institution which brings the treasures of the best knowledge to his children and to yours.

The grounds upon which taxation for the support of the higher education justly rests were so ably set forth by the distinguished orator[1] of last year, whose eloquent words are still ringing in our ears, that it would be superfluous for me to dwell upon them at this time. I am now aiming merely to remind you that at an expenditure which it is simply ridiculous to call burdensome, this prosperous State of Michigan has, through the wisdom of her founders, succeeded in furnishing the higher education to all her sons and daughters, without distinction of birth, race, color, or wealth. The fathers acted with a wise and far-seeing statesmanship. They saved to the State three generations of educated men. Most of them lived to see such a supply of buildings, libraries, scientific collections, and other apparatus of a university here as could not by private endowments have been secured perhaps in a century. Indeed it is probable that private endowments would have been scattered among many small colleges, as they have been in other States, and that no institution at all comparable to this in strength would have grown up in Michigan. By planting the University so early, they have enriched every profession and nearly every vocation in Michigan

[1] Hon. George V. N. Lothrop.

with intelligent and well-equipped men. Through this school of learning they have attracted to the State a large number of brilliant and scholarly youth, who after the completion of their studies have chosen this Commonwealth as their home, and are adorning every calling in life. Is there any one act of our fathers by which they have done more to promote the prosperity of the State, to make its name known and honored throughout this land and beyond the sea, than by the establishment of a university in which the best learning of the times should be practically open to all, so that whoever would might come and take freely, almost without money and without price?

Regal indeed are the gifts of nature to Michigan. A soil which bountifully rewards the toil of the husbandman and yearly fills to overflowing his granaries and barns; a climate so propitious that a large part of the State is a veritable paradise of fruits, where Heaven kindly draws the sting of frost from the west wind so that the breezes fall soft as the gales of Eden on the peach and the pear and the grape; mines richer in enduring wealth than those of Golconda; forests still magnificent in primeval grandeur, and rivalling the mines in value; salt wells which yield the wealth of subterranean seas in inexhaustible and unceasing stream; the broad lakes bound by the hand of God around the State like a zone of beauty; the sky, the inland seas, the earth, nay, the waters under the earth, all combine to pour their richest contributions into the lap of this favored Commonwealth.

Yet, with all these riches, poor indeed had been the State had not a brave and manly and intelligent people chosen it as their home. For earth and sky and water and mine had all been here for ages. But savages could not of these make a prosperous commonwealth. It is intelligence and character alone which can make a great and thriving State. And so the grave question which pressed itself on the fathers still forces itself on us. How shall we train our children to make the most of these conspicuous advantages, to build a State which shall be truly great, to contribute their full part to the honor and glory of the nation, to lead happy and useful lives, to be a blessing to mankind? Can we do better than to answer this question in the spirit in which they answered it when, in accordance with the direction of the Ordinance of 1787, they took care that schools and the means of education should be forever encouraged, and laid deep and strong the foundations of school and university?

We may be pardoned for believing that the result in our own State has justified what we may call the Michigan policy. We cling to it still. But whatever be the method of endowment of our great schools, may the day never come when they shall be inaccessible to the humblest youth in whom God has lodged the divine spark of genius, or that more common but sometimes not less serviceable gift of useful talent. Let not a misapplication of the *laissez faire* doctrine in political economy, which has its proper

place, lead us to the fatal mistake of building up a pedantic aristocracy. Good learning is always catholic and generous. It welcomes the humblest votary of science and bids him kindle his lamp freely at the common shrine. It frowns on caste and bigotry. It spurns the artificial distinctions of conventional society. It greets all comers whose intellectual gifts entitle them to admission to the goodly fellowship of cultivated minds. It is essentially democratic in the best sense of that term. In justice, then, to the true spirit of learning, to the best interests of society, to the historic life of this State, let us now hold wide open the gates of this University to all our sons and daughters, rich or poor, whom God by gifts of intellect and by kindly providences has called to seek for a liberal education.

III

COMMEMORATIVE ORATION

JUNE 30, 1887

DELIVERED AT THE SEMI-CENTENNIAL CELEBRATION
OF THE ORGANIZATION OF THE UNIVERSITY
OF MICHIGAN

III

COMMEMORATIVE ORATION

WE celebrate to-day the jubilee of this University. Her years are indeed few when compared with those of Heidelberg University, which last year kept her five hundredth anniversary, or with those of the University of Edinburgh, which recently observed her tercentenary, or even with those of Harvard University, which last autumn gathered an illustrious assembly to celebrate the two hundred and fiftieth year of her prosperous life. But in this country, where we judge men by their achievements rather than by their lineage, we properly judge of institutions by their deeds rather than by their age. When we consider what we must, in all soberness of language, call the extraordinary development of this University, especially during the last thirty-five years; when we remember that men are living who have shot wild deer upon the grounds which now form our Campus; when we see that from the number of her students and from the extent, variety, and excellence of her work, she is deemed by the public not unworthy a place by the side of the oldest and best endowed universities of our country, and that she has sent out more than eight thousand graduates who are adorning all honorable vocations in all parts of the world, — we may well

pause for a day even at this early stage in her history to rejoice at the unparalleled rapidity of her growth, to acknowledge our grateful appreciation of the men who laid her foundations with prescient wisdom, and of the equally wise men who builded thereon in the broad spirit of the founders, and to stimulate our hearts with fresh hope and courage for the future. The vigorous and virile life of the West, which within the memory of many now before me has reared immense cities on the prairies and has builded States that are empires all the way from the Great Lakes to the Pacific, has also poured its currents through the veins of this school of learning and has hurried it in a few brief years to the development which the strongest of the New England universities took two centuries and more to reach.

We might in a very just sense celebrate this year the centennial of the life of the University. For the germ of that life and of the life of all the State universities in the West is found in that great instrument, the Ordinance of 1787, which was adopted just a hundred years ago the thirteenth of next month. You remember that memorable article, whose first sentence we have placed here upon our walls, a sentence which should be engraved in letters of gold on fitting monuments in every State that was carved out of the Northwest Territory: "Religion, morality, and knowledge being necessary to good government and the happiness of mankind, schools and the means of education shall forever be encouraged."

Within a fortnight after the adoption of the Ordinance, Congress acted up to the spirit of the imperative *shall* in that instrument by making appropriations of lands for a university and schools in Ohio, the first of the long series of appropriations of lands by the General Government for educational purposes. The precedent then established has been uniformly followed in the admission of new States. Well, therefore, might not only this University, but all the public schools and the State universities in the Northwest, join in grateful observance of the hundredth anniversary of the Great Charter of freedom and intelligence for this region. Well might they together commemorate the centennial of the inauguration of that fruitful policy which has endowed institutions of learning, from the lowest to the highest, by the gift of public lands.

It was in strict accordance with the spirit of the great Ordinance that Congress took action, March 26, 1804, reserving for a seminary of learning a township in each of the three divisions of the Territory of Indiana, one of which became in 1805 the Territory of Michigan and so received the grant. And on this day when we gladly recall the names of our benefactors, let us not forget to acknowledge that our endowments were materially enlarged by the generosity of the aboriginal inhabitants of this region. By the Treaty of Fort Meigs, negotiated in 1817, the Ottawas, Chippewas, and Pottawatomies granted six sections of land to be divided between

the Church of St. Anne, in Detroit, and the College of Detroit. This College of Detroit, which was the lineal ancestor of the University, was not established until a month after the treaty. When steps were taken in 1824 to select the lands ceded by the Indians, such difficulties were encountered in complying with the conditions of the act of 1804 that Congress in 1826 made the location of lands practicable and authorized the selection of a quantity equal in amount to twice the original grant. The entire endowment of lands thus became equal to two townships and three sections. There is something pathetic in this gift of the Indians, who were even then so rapidly fading away. They doubtless hoped that some of their descendants might attain to the knowledge which the white man learned in his schools and which gave him such wonderful power and skill. Their hope has never been realized, so far as I know, by the education of any full-blooded Indian at the University. We cannot rival Harvard, which has on her roll of graduates the unpronounceable name of one of the aborigines. But we should never forget the generous impulses of the men of the forest who gave of what was dearest to them an amount surpassing in ultimate value the gifts for which the names of Nicholas Brown and Elihu Yale and John Harvard were bestowed on colleges in New England.[1]

[1] This comparison of the generosity of the Indians to that of the founders of Eastern colleges was first made by Judge Cooley, in his *Michigan*, p. 313.

We may perhaps be grateful also that in their modesty they did not ask that their names should be given to their beneficiary.

It has been said, and doubtless with truth, that the Congresses which adopted the Ordinance and made the earlier gifts of lands for educational purposes did not at all appreciate how great were to be the beneficent results of their action. How was it possible that they should? For achievement has in this Western country outrun the prophecy of the most sanguine seer. The wildest dreams of the future development of this region which were cherished by the most enthusiastic settlers of Ohio a hundred years ago seem tame and prosaic by the side of the romantic facts of the history itself as we read it to-day. How could they have imagined that by this time there should be in the Northwest Territory, a large part of which was then an untrodden wilderness, a population four times as great as that of the whole United States in their day, and that over the whole of it schools, academies, and colleges should be sown multitudinous as the stars of heaven. If they builded better than they knew, there was in the scope of their far-reaching work a happy augury of the broad and generous wisdom which by some good fortune has presided over the various and successive plans for the organization and development of a university in this State.

The original plan which was drawn by Judge Woodward in 1817 was characterized by remarkable

breadth, though sketched in language ridiculously pedantic. In the development of our strictly university work we have yet hardly been able to realize the ideal of the eccentric but gifted man who framed the project of the "Catholepistemiad, or University of Michigania," with its "thirteen didaxiim, or professorships." [1] Even while amusing ourselves at his polyglot vocabulary, we may remember that our statesmen of early days carried on their discussions under classical pseudonyms; that Mr. Jefferson suggested names for the Western States hardly less remarkable than the formidable title with which the University was burdened at its christening, and that the classical dictionary was fairly emptied on the towns of central New York. Judge Woodward, apparently mindful of the fact that universities had in every land grown up before the lower schools and had been the chief instrumentality in nourishing them, provided in his scheme that the President and the Professors of the University should have the entire direction of collegiate, secondary, and lower education.

They were to have the power — I quote his comprehensive language — "to establish colleges, academies, schools, libraries, museums, athenæums, botanic gardens, laboratories, and other useful literary and scientific institutions consonant to the laws of the United States of America and of Michigan, and to

[1] The original draft in the handwriting of Judge Woodward is in the University Library.

provide for and appoint directors, visitors, curators, librarians, instructors and instructrixes, in, among, and throughout the various counties, cities, towns, townships, or other geographical divisions of Michigan." The instruction in every grade was to be gratuitous to those who were unable to pay the modest fees fixed. Fifteen per cent. of the taxes imposed and fifteen per cent. of the proceeds of four lotteries were to be devoted to the support of this institution thus charged with the conduct of all public education in Michigan. Whatever criticisms may be made upon this scheme it certainly showed in its author a remarkably broad conception of the range which should be given to education here, a conception, it may be believed, which was never lost from sight, and which doubtless made easy the acceptance twenty years later of the large plans of educational organization that were then readily adopted. It was a happy prophecy of the truly liberal spirit which was subsequently to guide in the conduct of the University, that the first Professors appointed for the "Catholepistemiad" were the Rev. John Monteith, the Presbyterian minister in Detroit, and Gabriel Richard, the Roman Catholic Apostolical Vicar of Michigan. They established primary schools, and also the college in Detroit under the name of The First College of Michigania. For the aid of the Institution some few thousands of dollars were raised by subscription, and the unused balance of a fund, given by citizens of Montreal and Mackinaw to help

the sufferers from the fire which destroyed a large part of Detroit in 1805, was, at the request of its donors, turned into its treasury.

In 1821 the governor and judges translated Judge Woodward's charter into modern forms of speech and modified it in some particulars. They gave to the institution the simple name of The University of Michigan. Repealing the act of 1817, they yet retained in the act or charter of 1821 the grant to the University of the power to establish colleges and schools so far as the funds, which were no longer to be furnished by taxation, would permit. The catholicity of this charter of 1821 is shown in this memorable article:

"*Be it enacted*, that persons of every religious denomination shall be capable of being elected trustees; nor shall any person, as president, professor, instructor, or pupil, be refused admittance for his conscientious persuasion in matters of religion, provided he demean himself in a proper manner and conform to such rules as may be established."

The Trustees maintained in Detroit for some time what was known as a Lancasterian School, and until 1837 a classical school, but their chief business consisted in caring for the lands. In those early years, when the population of the Territory was small, the college was not yet needed. But what we want to keep distinctly in mind to-day and to state with clearness and emphasis is that in both the act of 1817 and in that of 1821, those two early charters of the

University, what we may call the Michigan idea of a system of education, beginning with the University and stretching down through all the lower grades to the primary school, was distinctly set forth. While we are celebrating to-day the semi-centennial of the present form of the organization of the University, let us not forget that without impropriety a semi-centennial celebration might have been held twenty years ago; that there is, as the Supreme Court of the State has declared, a legal and corporate continuity from the University of 1817 to that of 1821, and again to that of 1837; that a just conception of the functions of a university was at least seventy years ago made familiar to the citizens of Michigan; that what may be termed the Michigan idea of a university was never entirely forgotten from that day until now, and, therefore, that the memory of the fathers who framed the charter and nourished the feeble life of those earlier universities should be cherished by us to-day and by our descendants forever.

On the admission of Michigan to the Union as a State, broad plans for public education were taken up with a more vigorous spirit than ever before. The men who framed the first constitution and shaped the early legislation of the State were men of large views, great enterprise, and marked force. They had come mainly from Ohio, New York, and New England, though a few conspicuous leaders were from Virginia. A considerable proportion of them were college bred,

and all appreciated the importance of a well-organized system of public education. Isaac E. Crary, a graduate of Trinity (then called Washington) College, in Connecticut, was chairman of the Committee on Education in the Constitutional Convention and drafted the article on that subject which was incorporated into our first constitution.[1] Fortunately he had made a study of Cousin's famous Report on the Prussian System of Education, and under the inspiration of that study sketched in the article a most comprehensive plan. It provided for the appointment of a Superintendent of Public Instruction, an officer then unknown to any one of our States; for the establishment of common schools, of a library for each township, and of a university; and in general for the promotion by the Legislature of intellectual, scientific, and agricultural improvement.

[1] The following facts concerning Mr. Crary, who exerted so large an influence in establishing the educational system of Michigan, have been obtained from his widow, residing at Marshall, Michigan: —

Isaac Edwin Crary was born in Preston, Connecticut, October 2, 1804. He was educated at Bacon Academy, Colchester, Connecticut, and at Washington (now Trinity) College, Hartford. He graduated from the college in its first class, 1829, with the highest honors of the class. For two years he was associated in the editorial work of *The New England Review*, published at Hartford, with George D. Prentice, subsequently the well-known editor of *The Louisville Journal*. He came to Michigan in 1832. He was delegate to Congress from the Territory of Michigan and was the first representative of the State in Congress. He was once Speaker of the Michigan House of Representatives, and was a member of the convention which drafted the first constitution of the State. He was the author of the enacting clause of Michigan laws, "The People of the State of Michigan enact." He died May 8, 1854.

What a noble and statesmanlike conception those founders of Michigan had of the educational outfit needed by the young State, which they foresaw was destined to be a great and powerful State! What a rebuke is their action to some of the theorists of our day who would confine the action of the State in providing for education to elementary instruction! Would that these men of narrow vision would study the words and the acts of the men who framed our first constitution and shaped our early legislation on education, and would thus learn what was the original and genuine Michigan spirit and temper concerning the support of all our educational institutions.

Through Mr. Crary's influence, his friend, the Rev. John D. Pierce,[1] a graduate of Brown University, who had placed Cousin's Report in his hands and had discussed with him at length the plans of education needed in Michigan, was appointed the first Superintendent of Public Instruction. It was a singular good fortune that befell the State when Mr. Pierce was selected in that formative period for that important office. I cannot here pause to recognize what he did for the common schools. But I will say that Henry Barnard did not do more for the common schools of Rhode Island, nor Horace Mann for those of Massachusetts, than John D.

[1] Mr. Pierce graduated at Brown University in 1822, and came to Michigan as a preacher in the service of the Presbyterian Home Missionary Society. He was Superintendent of Public Instruction in Michigan from 1836 to 1841. He died April 5, 1882, aged eighty-five.

Pierce did for those of Michigan. But to-day we are primarily concerned with what he did for the University. Having after his appointment made a journey to the East for the purpose of conferring with Edward Everett, President Day, Governor Marcy, and other prominent men, upon educational topics, he sketched with a free, bold hand, in his first report, presented in January, 1837, a plan for the organization of the University. He provided for the government of the Institution by a Board of Regents, a part of whom were always to be certain State officers, and a part of whom were to be elected by the Legislature. There were to be three departments: one of Literature, Science, and the Arts, one of Law, and one of Medicine. The scope of instruction was to be as broad as it was under Judge Woodward's scheme. Our means have not as yet enabled us to execute in all particulars the comprehensive plan which was framed by Mr. Pierce.

Anticipating the question which might be asked in this little State of two hundred thousand souls, "Can an institution on a scale thus magnificent be sustained?" this man, full of faith in the future of Michigan and in the intelligence of the people, bravely replied: "To suppose that the wants of the State will not soon require a superstructure of fair proportions, on a foundation thus broad, would be a severe reflection on the foresight and patriotism of the age. . . . Let the State move forward as prosperously for a few years to come as it has for a few

years past, and one half of the revenue arising from the University fund will sustain an institution on a scale more magnificent than the one proposed, and sustain it too with only a mere nominal admittance fee. . . . The institution then would present an anomaly in the history of learning, a university of the first order, open to all, tuition free." [1]

Moreover, he foresaw plainly what would be the advantages both to collegiate and to professional education in having professional schools established as a part of the University. He paraphrased most aptly a striking passage from Lord Bacon as follows: "To disincorporate any particular science from general knowledge is one great impediment to its advancement. For there is a supply of light and information which the particulars and instances of one science do yield and present for the framing and correcting the axioms of another science in their very truth and notion. For each particular science has a dependence upon universal knowledge, to be augmented and rectified by the superior light thereof." [2]

The Superintendent's lucid and intelligent report made a deep impression upon the Legislature and was adopted with scarcely a dissenting voice. On March 18, 1837, the act establishing the University

[1] Shearman's *System of Public Instruction and Primary School Law of Michigan*, pp. 23–33, gives a large part of Superintendent Pierce's first report.

[2] The original may be found in Spedding and Heath's edition (American reprint), Vol. VI, pp. 43, 44.

was approved. It followed in all important particulars the suggestions of the Superintendent. On the twentieth of March the act was approved which located the University at Ann Arbor, where the forty acres of land now constituting our Campus had been gratuitously offered as a site by the Ann Arbor Land Company. Three of the members of that company are still living in this city, E. W. Morgan, Charles Thayer, and Daniel B. Brown, and have been invited to be present as our guests to-day. The company purchased this land with the intention of presenting a part of it to the State as a site for the State House, in case this place were chosen for the capital. On the fifth of June, fifty years ago this month, the Board of Regents held their first meeting in this town. That day may perhaps with as much propriety as any be considered the natal day of the present organization of the University.

The infancy of the Institution was not unattended with perils and with some disasters. A bill once passed the Senate and was defeated in the House by only one vote to distribute the income of the fund among various colleges which were planned or which might soon be planned. Mr. Pierce tells us that by his personal effort he secured the defeat of that bill. He had obtained from leading administrators of colleges in various parts of the country, and had incorporated in his annual report, opinions strongly urging the concentration of strength in one vigorous institution. Yet so powerful were the private and

local interests appealed to by the bill that the frittering away of the endowment and the establishment of a brood of weak and impoverished colleges were barely prevented.

Again, the first Board of Regents made the mistake of adopting so magnificent a plan for buildings that the execution of it must have crippled the resources of the treasury for a long time. But here again the vigilant Superintendent, Mr. Pierce, came to the rescue. He exercised the power he then had of vetoing the measure. He justified his act, which temporarily excited a strong feeling against him, by pointing out the fact, so often overlooked even in these days, that not bricks and mortar, but able teachers, libraries, cabinets, and museums, make a real university.[1]

A third peril, which the University did not wholly escape, was the sacrifice of much of the value of the lands that constituted the endowment. The power to sell the University lands was originally vested in the Superintendent of Public Instruction, and the minimum price of them was fixed at twenty dollars an acre. In fact the average price secured by the State in 1837 was twenty-two dollars and eighty-five cents an acre. Could the lands have been sold at the prices originally fixed, the endowment from the land grant would have been nearly double what it is.

[1] Mr. Pierce gave an interesting account of his early efforts in behalf of the University in a paper published in *The Michigan Teacher*, Vol. IV.

But in 1839 an act was passed authorizing the sale at one dollar and a quarter an acre of any lands located for University purposes, if it were proved that before their location by the State they were occupied and cultivated in accordance with the pre-emption law of Congress. The friends of the University were filled with alarm at this prospect of so great a reduction of the expected income. The Regents suspended all operations for organizing the University and appealed to Governor Mason to protect its interests. He interposed his veto of the bill and justified his veto by a stirring message, and so saved the endowment. In grateful recognition of this act and of the warm interest he always manifested in the University, we gladly hang his portrait on our walls with those of our other benefactors and friends. Already in 1831, and again in 1834, the Trustees had made a grave mistake by disposing at a low price of lands which under the United States grant had been chosen in the territory now occupied by the city of Toledo, and which of themselves, if kept until now, would have formed a large endowment. From 1838 to 1842 there was much legislation, reducing the price of lands below the minimum of twenty dollars an acre originally established. One act authorized a reappraisal of lands already sold at stipulated prices, in order to scale the prices down for the benefit of the purchaser. It was pleaded, and doubtless with some truth, that the financial disasters of 1837 and the years immediately following

made it difficult, if not impossible, for most purchasers to fulfil their contracts at that time. None the less the calamity to the University treasury was most serious. We can see now that it would have been far better for the University and perfectly just to the purchasers to extend the time of payment, but not to reduce the price. The general result of the management of our lands has been that, instead of obtaining for them the sum of $921,000, which at twenty dollars an acre Mr. Pierce in his first report showed they would bring, they have yielded $547,897.51, and one hundred and twenty-five acres remain unsold. It is not easy to guess how much more the Toledo lands would have added to our fund, if they had been retained for some years, but certainly some hundreds of thousands of dollars. Still, we may at least temper our regret at the sacrifice which was made by remembering that no other one of the five States formed out of the Northwest Territory made the land grant of the United States yield so much to its University as Michigan did.

A step taken by the Regents at the very outset was not without its perils to the University, though it also brought some needed help to the institution and to the State. It was the establishment of branches in various towns. These branches served as preparatory schools for the University and as training schools for teachers of the primary or district schools. They also awakened a widespread interest in higher education, and led ultimately to the establishment

of the excellent high schools for which Michigan is so distinguished. But they made so heavy a drain on the treasury of the University that they seriously embarrassed it, and had they been multiplied, as was at first intended, they would have absorbed the entire income. They did so desirable a work in our principal towns that there grew up a sentiment in favor of making the support of them the main object in the use of the University funds. Governor Barry, in his message in 1842, affirmed that the branches were to be more useful than the University, and that they ought to be multiplied, though he recommended less expenditure on each. It is amusing to notice that they were objected to by some as aristocratic institutions, since a small tuition fee was charged. It is now pretty generally agreed that the support of the branches was by an illegal use of the University funds. After a few years the Regents found themselves obliged to cut down the appropriations to the branches, and finally in 1849 to refuse them altogether. So this peril of frittering away the funds on schools, like the earlier one of frittering them away on numerous colleges, was happily escaped.

Meantime from the date of their accession to office the Regents had been busy in preparing to launch the University. Their difficulties were very great. The management of the lands was not in their hands. They could not know, even approximately, in any one year how much money they could rely on having

the next year. They had no power to appoint a President. They had many discouragements in unwise legislation. But we owe them a debt of gratitude for the courage with which they pushed on. Our scientific friends will observe with interest that among their very first acts was the purchase of the Baron Lederer collection of minerals and a copy of Audubon's Birds of America. The very first Professor they appointed was Dr. Asa Gray, the distinguished botanist, who, crowned with laurels from both hemispheres, is still laboring with untiring activity in the freshness of a vigorous old age.[1] He was called to the chair of Zoology and Botany. The Regents received in March, 1838, a loan of one hundred thousand dollars from the State, and by September, 1841, had completed the erection of four dwelling houses, absurdly planned by a New York architect, and of the building which now forms the north wing of this edifice. They first called this north wing the "main building," and afterwards, in honor of Governor Mason, Mason Hall, a name which unfortunately did not remain in use. And so now, in September, 1841, four years after the Regents had begun their work, we find the doors of the University really open for the reception of students, and Professor Whiting and good Doctor Williams, as we learned to call him afterwards, welcoming to their class-rooms five Freshmen and one Sophomore. It is to be presumed that there was not much hazing of

[1] Dr. Gray died January 30, 1888.

Freshmen by the Sophomore class. All but one of those six students are still living, to march at the head of the long procession of graduates who have since left these halls. In spite of financial distresses, which more than once threatened to suspend the life of the Institution in 1841 and 1842, the two zealous Professors bravely held on to their work. By 1844 the Faculty was enlarged in number, and in 1845 the first class of students, numbering eleven, was graduated with the degree of Bachelor of Arts.

From this time until the accession of Dr. Tappan to the presidency, the work of the college classes was carried on after the methods and in the spirit of the typical New England colleges. All colleges of standing, except the University of Virginia, were so conducted. The Professors were men of creditable attainments and were faithful to their duties. The substantial success of the men whom they trained, a good proportion of whom have rendered eminent services in various professions, is the best testimony to the excellence of the instruction they gave. But the number of pupils was small. The maximum number during that period was eighty-nine, reached in 1847–8. From that time, owing no doubt to the suspension of the branches, the attendance declined. In 1850 the report of the Board of Visitors states that only fifty students were actually in attendance, and inquires with earnestness why, when the tuition is free, students are not attracted in larger numbers to the University. After discussing the facts, it

concludes that the reasons of the lack of prosperity are the lack of a President, a want of unity in the Faculty, and the presence of Professors chosen on other grounds than those of fitness. This last remark evidently refers to the policy which had been followed of endeavoring to distribute the professorships among the several religious denominations.

Meantime, though the work of the college was so limited, the Regents had not lost sight of the broad plan which was originally contemplated for the University. In 1847 they gave careful consideration to the subject of establishing Medical and Law Departments. The result was that in 1850 the Medical Department was opened in the building which, much enlarged, still accommodates it, and a class exceeding in number the students in the Literary Department was in attendance during the first year. The services of Dr. Zina Pitcher, who had been on the Board since the organization of the University, though valuable in every way, were of special value to the Medical Department at this time and until his death. That Department speedily took that rank which it has ever since maintained, among the leading medical colleges of the country. Like the Literary Department, it has been fortunate in retaining in its chairs for more than a generation at least two of its accomplished teachers, Palmer and Ford, whom hundreds of their grateful pupils delight to greet here to-day. The graduates of

the early classes have special cause for thanksgiving in the fact that three of the Professors who opened the school are still living to receive their gratulations, Dr. Gunn, Dr. Douglas, and Dr. Allen.

The Constitution adopted by the State in 1851 provided for the election in that year of Regents by popular vote. The new Board at once addressed itself to the task of finding a President. The choice fell upon Dr. Henry Philip Tappan. No better man could have been selected for the special exigencies of the University at that time. A man of commanding presence, of marked intellectual endowments already proved by the authorship of books which had won for him reputation on both sides of the Atlantic, of large familiarity with the history of education, of experience as a college teacher, of broad and well-defined views on university policy, of the warmest sympathy with Crary and Pierce and the founders of this Institution in their admiration of the Prussian system, of remarkable power of impressing others with his views whether by public speech or by private intercourse, he took up the work here with a vigor and earnestness that speedily kindled in all hearts the hope of that brilliant success which soon crowned his labors. He confessed that he was attracted to Michigan by the broad views embodied in the plan of the State system of education. In the spirit of that plan he brought to his work the most generous conception of the function of the University, and he soon awakened in the public an enthusiastic

sympathy with his own large ideas. He aroused people to an appreciation of the fact that our State system of education could not reach its proper development without a well-equipped university as its heart to send the energies of its life down through the schools.

Not yet have we filled in the sketch which he drew of the ideal university for Michigan. He maintained that a real university ought to give instruction not only in the studies ordinarily pursued in colleges in that day, but also in the fine arts, in agriculture, in the industrial arts, in pedagogy, and in the preparation for the so-called learned professions. He desired that students should have graduated in the Literary Department before they were admitted to the professional schools. Abandoning the idea which had prevailed that professorships should be distributed among the various religious denominations, he maintained that no sectarian or political tests should be considered in making appointments, but only character and moral and intellectual fitness. By his counsel the dormitory system was abandoned, and the vast sum which would have been needed to provide lodging houses for students was saved, and the students to their advantage have for the most part enjoyed the wholesome influence of the home life of our citizens. He stoutly opposed the separation and dispersion of the various parts of the University, and maintained that the very idea of a university supposes the con-

centration of books, apparatus, and learned men in one place. He looked forward to a day when the merely gymnasial work should give place here to genuine university work. These and other kindred ideas, now familiar to us, but new to many in those early days, Dr. Tappan advanced and vindicated with a stirring eloquence before the Legislature, before the students and Faculties, and before the public, until they were understood and widely appreciated.

With equal zeal he pushed the internal development of the University. He added to the Faculty a corps of brilliant scholars, two of whom, Dr. Winchell and Dr. Frieze, abide with us even now, and have builded their fruitful lives into the life of the University. He introduced the scientific and the partial course of instruction to afford facilities to those who did not wish to pursue the classical curriculum. He secured funds for the astronomical observatory, which, under Brünnow and later under Watson, was destined to win so much renown for the University. A new life, a new enthusiasm were awakened throughout the whole institution. Both teachers and students were full of zeal and of hope. They caught the spirit and re-echoed everywhere the stimulating words of the new leader, until every one not only saw that a real University was growing here with unprecedented vigor, but was full of faith that a much more brilliant development in the near future was secured. This ardent faith was

itself a guaranty of the success for which it looked. I doubt if in the sixth decade of this century any other university in the land was administered in so broad, free, and generous a spirit as this was under Dr. Tappan and his large-minded colleagues in the Faculties. Most of the colleges were in bondage to old traditions. Dr. Wayland, with his herculean strength, rose up in rebellion against exclusive devotion to the old ways under which the colleges were pining away, and made an effort for larger freedom of action even before Dr. Tappan came here. But his effort was only partially successful and for a limited time. But this University having once started upon the new path, blazed out by Dr. Tappan and his associates, never once faltered in its progress, but has gone bravely on to larger and larger successes.

In 1859 occurred that important event in the history of the University, the opening of the Law School. Perhaps never was an American law school so fortunate in its first Faculty, composed of those renowned teachers, Charles I. Walker, James V. Campbell, and Thomas M. Cooley, all living, thank God, to take part in this celebration, and to receive the loving salutations of the more than three thousand graduates who, as learners, have sat delighted at their feet. The fame which these men and those afterwards associated with them gave to the school was a source of great strength to the whole University. It is a significant fact, deserving of special

recognition, that the establishment of the Medical and Law Schools contributed very much to the rapid increase in the number of students in the Literary Department. Every graduate of each of those schools became instrumental in turning hither the steps of students who desired collegiate learning.

When Dr. Tappan closed his official career, after eleven years of service, the Literary Department had more than quadrupled the number of students it had on his accession to office, the Medical Department had two hundred and fifty students, the Law School one hundred and thirty-four, the total attendance was six hundred and fifty-two, and the University was recognized on both sides of the Atlantic as a great and worthy school of liberal learning.

While in a certain very just and emphatic sense the University rests on foundations laid seventy years ago, and, in the form in which we know it, has been builded on the lines traced during the administration of the first President, under the wise and tactful direction of his successor, President Haven, it moved on rapidly in its career of prosperity. Additions were made to the observatory, to the medical building, and to the chemical laboratory. A course in Pharmacy and the so-called Latin and Scientific course were established. The number of students increased rapidly, until in 1866–7 it reached twelve hundred and fifty-five. Dr. Haven's genial and conciliatory temperament, his felicity of address, his versatile adaptability, and his broad and gener-

ous theories of education won favor for himself and for the University. To the great regret of students, Faculties, Regents, and the public, he resigned after a brief administration of six years.

During the two years in which Dr. Frieze occupied the executive chair, two most important measures were adopted, which broadened very much the influence of the University. These were the admission of women to all Departments and the establishment of the system by which students are on certain conditions received from high schools without special examination. In respect to both of these measures we may say that our experience of seventeen years has justified most, if not all, the expectations of those who advocated them, and has removed the doubts and fears of those who opposed them or who supported them with hesitancy. Hundreds of women have availed themselves of the privileges offered them here and have gone forth, several of them to foreign lands as missionary teachers or missionary physicians, many to various parts of our country as teachers in high schools, academies, and colleges, and the rest to those various duties, whether in professional careers, official positions, or in domestic life, which women of culture are fitted to discharge. The success of the experiment of admitting women to this Institution was very influential in opening to them the doors of many colleges in this country, and was not without effect abroad.

The establishment of the "diploma relation with the high schools" was one of the most important steps ever taken to bring unity into the public school system of this State. Superintendent Pierce had in his first report wisely urged that all grades of schools should be equally under the care of the State and supported by it. He was strenuous for the organization of the branches of the University, so that high school education might be furnished in them and teachers might be prepared for the primary schools. His only mistake was in throwing upon the University fund the expense of this secondary school work, when it would have been wise to provide for it at least in part from the common school funds. The branches having finally been severed from the University, the union schools or high schools grew up as separate, local organizations, and not as an organic part of one system. The voluntary establishment of the "diploma connection" between the University and the high schools set up a quasi-organic relation between them, bridged over the space which had separated them, and so left the road plain and open for every child to proceed easily from the primary school up through the high schools and through the University. There is therefore now a substantial, if not in all respects a perfectly formal, unity in the educational system of the State. The plan adopted here, which was an adaptation to our needs of the German method of receiving students from the gymnasium into the university,

has been widely imitated both in the East and in the West, though sometimes with modifications which have diminished its efficiency.

During recent years, with an ever enlarging conception, both on the part of the State and of the University, of the functions, opportunities, and duties of this Institution, its development has been rapid and striking. The work of the long-established Departments has been elevated, broadened, and enriched, new Departments have been added, commodious buildings have been multiplied, and the power of the University has been largely strengthened.

In the Literary Department there has been a great increase in the number and variety of courses of instruction offered, the application of laboratory methods to the teaching of the sciences has become general, the students of engineering have been provided with facilities for shopwork, a well-adjusted elective system of studies has been introduced, and to advanced students large opportunities for specializing their work have been furnished. These measures, co-operating with other causes, have increased the enthusiasm for study, have brought new stimulation to the teachers, have made the relations of students and teachers intimate and friendly to a degree formerly unknown, and have brought the Department to a most gratifying degree of efficiency.

The list of professional schools has been enlarged by the organization of the School of Pharmacy, the

Homœopathic Medical College, and the Dental College. In these, as in the older schools, the requirements for admission and for graduation have been gradually raised, so that the education imparted in the several schools is more comprehensive than ever before. The number of teachers and assistants now reaches eighty-three and the number of students fifteen hundred and seventy-three.

As upon this glad day we gratefully trace the remarkable growth of the University, we find the inquiry constantly forced on our minds, to what is this wonderful growth due? The answer has, I trust, been in some degree suggested in what has been said. But it may be well to set forth more sharply the causes of the great development which we so rejoice to see.

1. First I would name the broad conception, which has for the most part been held with distinctness, of the function and methods of a university. The custodians and administrators of this Institution have striven to build on a large and generous plan. They have happily followed in general the German rather than the English ideal of education, but have always aimed to adapt the plans to the real wants of our time and our country. They have filled out the large plan originally sketched as rapidly as the means at their disposal would permit. With a prudent courage in experimentation and innovation they have introduced methods which have been

widely approved and imitated even by institutions which were at first severe in their criticisms of them. This large and free and generous spirit, in which the University has been conducted, has commended itself, especially in the West, and has been a source of great power.

2. The authorities of the University have been guided throughout its history by the wise principle, enunciated early by Superintendent Pierce, that men, not bricks and mortar, make a university. Certainly there is nothing in the beauty or elegance of most of our buildings to awaken any special vanity on our part. But from the opening of the University there has never been a time when the Faculties did not contain able and eminent men, and for more than thirty years now passed men of national and of European reputation have always been found giving instruction in these halls. The marvel is that with their meagre salaries such men have been willing to remain here. But there has been among them an *esprit du corps*, an appreciation of the largeness of the work which falls to this University, an enjoyment of its free spirit, and a consequent devotion to its interests, which have fortunately retained some of our most gifted teachers in the face of the strongest pecuniary temptations to go elsewhere. The fame of these faithful teachers has been an inestimable endowment of the University, and has drawn pupils from every State and Territory of the Union and from every continent

of the globe. May the day never come when the governing body of this Institution shall lose sight of the vital truth that it is on the ability and attainments of the teacher more than on any or on all things else that the fortune of the University depends.

3. It has doubtless been conducive to the growth of the University that the founders organized it on the plan of bringing education within the reach of the poor. The early settlers of the State, though many of them were well educated, were generally men of limited means. They appreciated intellectual training and desired that it should, if possible, be secured by their children. They knew that the rich could send their sons away to Eastern colleges. But if college education was to be gained by their sons, it must be at small cost. They therefore naturally and wisely provided that instruction should be afforded at a nominal rate. This was a most democratic and salutary plan. There could have been no greater misfortune to this State than such an organization of the higher education as should have made it accessible to the rich alone. Society is now sufficiently shaken by the antagonisms and frictions between the rich and the poor. But suppose we had the poor hopelessly doomed to comparative ignorance by the costliness of advanced education to the pupils, and so had society divided into two classes, the one rich and highly educated, the other poor and with limited education or none, how much more fearful would be their conflicts

when they met in the shock of battle! But here the rich and the poor have always sat side by side in the class-room. They have associated on terms of perfect equality. Brains and character have alone determined which should be held in the higher esteem. There is no other community in the world so wholesomely democratic as one like our body of University students. The whole policy of the administration of this University has been to make life here simple and inexpensive, and so a large proportion of our students have always supported themselves in whole or in large part by their own earnings. They have flocked hither in great numbers because they believed that an excellent education could be obtained here by students of very limited means. This has always been, and we are proud of the fact, the University of the poor. From these halls the boys born in the log cabins of the wilderness have gone forth armed with the power of well-disciplined minds and characters, to fight their way to those brilliant successes which mere wealth could never have achieved, to the foremost positions in church and state.

4. We gladly recognize the fact that the success of the University is largely due to the efficient aid of the schools of the State. While the University has done much to elevate the character of the schools, by sending them as teachers its thoroughly trained graduates, it is also true that but for the hearty co-operation of the schools, but for the con-

tinual and rapid improvement in their work, it would have been impossible for the University to push up its standard of work from decade to decade, as it has done. Especially has there been a helpful improvement in the high schools since the diploma relation between them and the University was established. There is now a certain unity in the scholarly spirit of the schools and that of the University which is serviceable to the University and, we believe, to the schools. But without this fine spirit in the schools the University would be seriously crippled. The child who enters the primary school is now stimulated to hope for the highest education, since the way lies open, straight, and clear from his school-house to the very doors of the University, the way which has been trodden by many as poor and as humble as the poorest and humblest in the rudest school-house in the Northern woods.

5. The loyalty and the success of our graduates of all Departments have also been most helpful to our rapid growth. More than eight thousand in number, they have gone to all parts of this land and to foreign lands, speaking with loving praise the name of their Alma Mater, and illustrating in their lives the value of the training they had received under our roof. In the great struggle for the nation's existence they did their full part, and some of the choicest and best, whose names are starred on our General Catalogue, poured out their young lives on Southern battlefields. Our graduates are found

engaged in every worthy pursuit. By their achievements they are commending their dear mother not only for the mental discipline she gave them, but for the brave, earnest, manly spirit which by her free methods and by the character of her teachers she has nourished in them. The sap and vigor of this Western life have always characterized this young University and the great body of her alumni, and so the earnest, ingenuous youth of the West have come here almost instinctively to find a congenial home. If sound learning has been imparted here, we believe that we may yet more emphatically claim that manliness of character has always been developed in these halls.

While studying to-day the history and development of this Institution, it is pleasant to remember that it has not been without a creditable influence upon other colleges and universities. Every good institution of learning by its life helps every other good one. And while in the presence of so many honored delegates from other schools of learning, who rejoice us by their presence at this hour, we gratefully acknowledge the inspiration we have received from our sister institutions, we may be permitted to recall the testimony which some of them have borne to us of the assistance they have found in our experiences. Particularly have the State universities which have been established in all the Western and in some of the Southwestern States builded to a considerable degree on the model

of this University. The same causes that contributed to our prosperity are now crowning them with success. Whatever perils may have beset any of them in their earlier days, their existence is now assured. Not infrequently they have turned hither for counsel, and naturally enough have often adopted methods which had here been proved wise. As we see these State universities attaining to higher usefulness and eminence and rejoice in their progress, we think it not presumptuous to believe that one of the useful services which this Institution has rendered is found in the guidance and help which she has providentially been able to furnish to these sister institutions of the West.

In the bright history of this Institution we joyfully read a happy augury for her future. With such rapid strides has she come forward into the front rank of American universities that we instinctively look for continued and brilliant progress in the second half century of life upon which she is now entering. We often delight ourselves with imagining what the next generation will find here when the celebration of the centennial of the University shall be held.

While we do not suffer ourselves to doubt that the development of the University is to continue, we do well to keep in mind, even in these days of exuberant joy, the essential condition of her prosperity. That condition is the hearty sympathy and support of the State of Michigan. The proceeds of the

United States land grant and the fees of students no longer suffice to meet the current expenses of the University. We are obliged to have constant aid from the treasury of the State. If the University is to grow under the present organization, that aid must be, not rapidly perhaps, but steadily and surely, increased. Should that aid be withheld, the Institution would at once shrink from a great university with a cosmopolitan constituency and a cosmopolitan fame to a local school with a limited constituency and a fading reputation. The vital question therefore is, if the University persists in her old habit of growing, will this Commonwealth stand by her and meet her pressing needs? All these fifty years Cassandras have not been wanting who have predicted that the State would in weariness abandon the University. Happily these predictions have never been fulfilled. Never before, I believe, was the University so strongly intrenched in the affections of the State. But the sons and daughters and friends of the University may even in their exhilarating celebrations of this week lay it soberly to heart that the prevalence of an intelligent public opinion upon the value of the Institution is absolutely essential to her perpetuity, and that on them it mainly depends whether such a public opinion, appreciative and sympathetic, shall prevail. The great majority of our citizens, the great majority of our legislators, never see the University. They must know of the scope and worth of its work and

of the considerable sums needed to maintain it, even on our most economical methods, mainly as they learn all this from you. In a very just sense and in a large degree, then, the fortunes of the University are committed to your hands. That you will be faithful to this great trust we do not for a moment question. Therefore we confidently cherish the hope that this great and prosperous Commonwealth will, with just pride in the renown and usefulness of this school, continue in all the years to come to meet her reasonable requests for support.

The munificent gifts which during the last few years we have received from private benefactors also encourage us to believe that the generosity of the State will be supplemented by that of large-hearted individuals. There is abundant room for the most appropriate exercise of private beneficence. We cannot doubt that some of our citizens, especially some of our alumni, will wish to leave here memorials of their abiding interest in the University.

And so, full of that faith in the future growth of the University, which is begotten by the contemplation of her inspiring history of fifty years, by our confidence in the appreciative generosity of this great, wealthy, and growing Commonwealth, and by our assurance of the loyalty and devotion of her sons and daughters, with joyful enthusiasm, with abounding hope, with loving hearts, we bid her Godspeed as she enters now upon the second half century of her life.

IV

STATE UNIVERSITIES

JUNE 4, 1895

AN ADDRESS DELIVERED AT THE DEDICATION OF ACADEMIC HALL AND THE NEW DEPARTMENT BUILDINGS OF THE UNIVERSITY OF MISSOURI

The substance of this Address was also given on anniversary occasions at the State Universities of Iowa, Nebraska, Kansas, Minnesota, Illinois, and Ohio

IV

STATE UNIVERSITIES

IN response to your courteous invitation to me to address you, it has seemed to me that I might well ask you to consider what, in view of its organization, are the principal difficulties which the American State university has to encounter, what advantages it has to commend it, and what needs must be supplied to insure its success.

1. In our present study of State universities it will be convenient first to inquire what have been their chief embarrassments.

First. The business of disposing of the lands granted by the United States for their support has in many cases been badly managed, so that a large part of the endowment has been lost. In the early history of several of the States, to which grants for universities were made, the people did not appreciate either the possible importance or the future needs of a university, and therefore the proper disposition of the lands was not secured. It is not surprising that such was the fact. In some cases errors of judgment, in others, it is to be feared, the greed of speculators, who outwitted trustees and regents, caused lamentable sacrifices. The lesson should not be lost to the States whose lands are still within control.

If we may say so without seeming ungrateful, we may express our regret that the General Government, when making grants of lands for universities, had not given more of what it was then so easy to give. Doubtless when the first grants were made at the beginning of the century, of two townships to each university, that was believed to be a very generous endowment. And so it was for the maintenance of universities according to the standards then prevailing. But the progress and elevation of the higher education have rendered necessary much larger revenues for the support of a university than the proceeds from the sales of the lands bestowed can furnish.

Second. A very common criticism on the organization of universities by the State is that political parties will interfere with them from partisan motives and seek to use them in furtherance of party ends. Theoretically, that seems possible, but in fact, so far as I know, the good sense of our people has prevented this, as it has prevented such interference with the common schools. I think it may safely be predicted that any party which shall attempt to use either the universities or the common schools for a partisan purpose will lose, as it deserves to lose, popular approbation.

It is true, however, that there is a certain peril to the State university from the close relation which it holds to the public. If important differences arise within its governing board or its Faculties concerning

a line of policy, or concerning the fitness of president or professors for their positions, the discussion becomes more widespread and general and often more impassioned than it does when similar questions are before a close corporation which is practically responsible to nobody for its actions. Such political discussions of university questions are often conducted in large part by men who are fitted neither by reading nor by experience to speak as experts, and whose debates are therefore more heated than wise. No doubt it is possible to cite cases in which serious harm has been done by dragging universities and teachers into the public arena to be assailed by those who were quite incompetent to pass judgment on the question at issue, or were disposed to display their gladiatorial skill simply from the malignant ambition to pull prominent men down from honorable positions, and to cater to that base but too common desire to see them bespattered with abuse.

But after all, while temporary harm and in some cases injustice to worthy persons has resulted from this exposed and open life of the State university, yet I believe that on the whole the university, like the general administration of the State, is the better and not the worse for being to some extent the subject of public discussion. It is thus made known to the whole State. The citizens learn that they have a responsibility and an interest in it. They cannot be expected to bear taxation for its support unless its purpose and its management commend them-

selves to their favor. And therefore the more frankly and fully its life is laid bare to the people, the better. The thing it has most to fear is misrepresentation. Under the fire of criticism and public discussion the State universities have, with some interruption, pretty steadily gained, and as a class are more vigorous to-day than they have ever been before.

Third. The State universities have had to contend with a more or less widespread impression that the conditions of their life are to some extent unfriendly to the development of a religious character in the students. Not a few men, speaking in the interests of denominational colleges, have displayed a pretty active zeal in disseminating this impression. The majority of those who desire a collegiate education for their children prefer to have them surrounded by influences which are helpful rather than hurtful to their religious life. The belief that such a life is discouraged rather than encouraged at any college would be an obstacle to its prosperity.

If a State university were open to this charge, it must be from one or both of two causes. It might be so because the Regents took action which justified the charge, or because the Faculties were made up of irreverent men, or from both these causes combined. It is said that there is nothing in the constitution of a State university to prevent filling the board of regents with irreligious or even vicious men. Sticking to the letter of the law, this is true. Sticking to the letter of the law, it is equally true

that there is nothing to prevent us from filling the judicial bench with rascals. But, in fact, under the actual working of our laws, we do elect or appoint to the honorable and generally unrequited post of regents, men who fairly represent the better sentiment of the State in regard to morals and religion, just as we do generally elect to the bench men fairly representing the higher stratum of character and talent of the bar. The public sentiment of all our States is friendly to virtue and religion, and desires the cultivation of them in the young in a reasonable and catholic way, and it will not long sustain in power as guardians of our schools of learning those who are actively opposed to this sentiment.

As to the Faculties, it may be said without fear of contradiction that they are as a rule composed of men of exemplary life and of reverent spirit. Men of a different make do not generally incline to teaching as a permanent calling. If they do, they are rarely chosen to professorships in our higher institutions of learning. A large proportion of the teachers in the State universities with which I am familiar, as in all other American colleges and universities, are always actively engaged in work in church and Sunday school and in the religious meetings of students. I know of no kind of legitimate religious influence exercised on students by professors in any college which devout professors in our State universities may not and do not exercise, unless an exception be made in respect to religious services,

which students are in some colleges compelled to attend. And in my opinion the compulsory attendance on such services of students as old as those usually found in our State universities is of very questionable spiritual benefit.

It is, however, true that denominational colleges have one advantage over State universities in attracting religious students, particularly those who intend to study for the ministry. These colleges are generally furnished with scholarships endowed for the special benefit of such students. And furthermore those devout people who have a particular interest in the college controlled by their denominations are active in impressing candidates for the ministry of their communion with the belief that it is their duty to attend that college rather than the unsectarian university. These are, I think, the main reasons why the State universities do not furnish so large a relative number of graduates to the ministry as the denominational colleges, though they do compare favorably in this regard with some of the larger Eastern institutions, as, for instance, Yale and Harvard.

But with regard to the whole subject of the religious influences in and about the State university, I think it is time a frank and honest word was spoken to Christian men. All institutions of whatever kind are in the end controlled and managed by the persons who are interested in them and who take pains to shape their policy. If all men

who have at heart the dissemination of wholesome religious influences in the State hold themselves aloof from the State universities and content themselves with criticising them, it may fairly be expected that the control of them will fall into the hands of men of different views. No one can reasonably doubt that the State universities are here to stay, for good or for ill. In accepting the United States grants of land for the maintenance of the university, each State has in reality bound itself to support such an institution. However, the States in addition have invested so much money in the plant, and so strong a sentiment in favor of the universities has been created, that they are certain to continue in some form. Is it not then the part of common sense for all the good men of the State, however interested any of them may be in the support of other colleges, to exercise their legitimate influence as citizens in determining the policy of the university? In this prosperous state, whose future greatness is assured, it is certain that whatever your denominational colleges may do, there will be work enough for the university to do — much of it work which the colleges are not likely to be able to do. See to it, citizens of the State, that the university is sustained by the sympathetic and active interest of all good men.

Fourth. The State universities have suffered from a certain instability of plan and purpose. This has resulted in part, as in the case of many indepen-

dent agricultural colleges, from our inexperience in conducting such institutions. But it has also sometimes happened because one Legislature has given the means to establish some department or some kind of work and the next Legislature has failed to continue the needed appropriations. This uncertainty of plan is greatly to be deplored. It shakes the confidence of the students and of the public in the wisdom of the administration. It creates in the teachers a kind of solicitude which is in a high degree detrimental to their work. We have now had experience enough so that we ought to be fairly agreed on what is the proper scope of the work of the university. We should be careful in filling out the broadest plan to undertake no department or work until there is a high probability that the time is ripe for it, and that it can have a permanent support if it proves successful. One Legislature, of course, cannot bind its successor to continue its appropriations. But the public mind may come to be as well settled, and in most States it is as well settled, concerning the necessity of continuing certain kinds of university work, as it is concerning the necessity of continuing the maintenance of prisons and asylums. And certainly a Legislature may not ruthlessly check the development of a department which has been begun in good faith by its predecessor, and which is achieving good results. Still, I fear that this danger cannot be wholly escaped whenever a university is dependent on appropriations renewed annually or

biennially by Legislatures. But it is well enough to speak plainly on this subject and to remind Legislatures that this instability of plan is a real and serious misfortune. The best plan to be devised for securing this stability of support is the enactment of a law providing for a tax of a fraction of a mill upon the property of the State. Experience shows that this tax law is not likely to be repealed, and, of course, the sum increases as the State grows wealthy, and so keeps pace in some degree with the increasing needs of a growing and prosperous university. Laws of this kind are now in force in Ohio, Michigan, Wisconsin, Minnesota, Nebraska, Colorado, and California.

We have thus considered, and with the utmost frankness, some of the chief difficulties which have thus far beset the path of the State universities.

Let us now consider some of the advantages which have accrued to State universities and to the public from their peculiar organization.

First. Most of these universities have saved to one if not to two generations the advantages of such an education as would otherwise not have been within their reach. The settlers of these Western States were poor, but generally intelligent and fairly educated. Not a few of them were graduates of colleges. They appreciated the value of advanced education. They desired it for their children. But they had not the means to send their children to the East or to found and maintain well-equipped colleges at

home. The national endowment, however, supplemented in some cases by gifts of land by the States, sufficed for the founding of institutions of collegiate grade and for the development of them within a few years to a strength which no college dependent on private benefactions could have reached for many years. But for the State universities their children, and perhaps their children's children, would have looked in vain for the help of a college furnished for the excellent and varied work now done in this and other similar institutions. They have thus enabled the poor to gain an education, and in the days when these new States have greatly needed educated men. The few rich men could easily have sent their sons and daughters to Eastern colleges. It was of comparatively little consequence to their children whether the State provided a scheme for higher education. But it was of the first consequence to the children of the hardy settler who was rescuing a farm from the wilderness or the prairie. And it was of even greater consequence to the State that its population was not divided sharply into two classes — the men rich and educated and the men poor and ignorant. Whenever such a division exists you have all the elements of discord, strife, and civil war. But give the poor boy with brains and character an education as good as the rich boy can have and you need not fear an undue ascendancy of the rich. The chances are, as all history shows, that the poor boy, the son of the day-laborer or of the washer-

woman, will take the precedence of the rich boy, whether in church or in state. If the contrary is the fact in any case, the rich boy deserves to lead, and his leadership causes no heartburnings or conflict.

Second. The State university crowns and completes the public school system, and by strengthening it blesses the State. It is constantly exerting an inspiring and lifting power on the public schools. It does this by furnishing competent teachers for the high schools. It is a maxim of experienced educators that a teacher ought to have received a more advanced education than is given in the school which he teaches. Those high schools which have relied simply on their own graduates for teachers have made a grave mistake. Such teachers cannot, as a rule, bring to the school the stimulus which a competent college graduate can impart. The State universities in most of the Western States have naturally come into a closer, more nearly organic relation with the schools than the denominational college can establish. In this State and elsewhere the university has established relations with the high schools most fruitful of good to the schools, as well as to the university. The schools have been incited and helped to larger and better work. A virtual unity in the State education system has been secured. The power of this unity is felt by the youngest and humblest scholar in the most primary school in the state. Every child, even the poorest,

knows that this generous State has opened and made clear and easy to him the way from the modest school-house to and through the university.

Who can say in how many souls this knowledge is to-day kindling an ambition and moulding a purpose which shall give you gifted leaders in every branch of human activity? For, thank God, this gift of genius is bestowed with no partial hand. It is as likely to be found in the hut of sods as in the marble palace. And when with your lower schools you have kindled in the heart of a child the unquenchable flame of a worthy ambition for larger and richer intellectual culture, are we to starve his soul on the meagre fare of the common school? Will we say, "Thus far shalt thou go in this divine quest after knowledge, but no farther"? If you are thus to tantalize him; if you are thus to fire his holy passion and then furnish him no means of gratifying it, one might almost say that you had better never made him conscious of the illimitable powers within him. At any rate you can do nothing nobler, nothing more justifiable on the grounds of regard for the public good, nothing which will prove more beneficial to your State than to introduce him to the treasures, the stimulation, the inspiration of a university like this.

To reap the fullest benefits from its common schools, the State should crown them with the university and give a unity and completeness to the whole educational system. The public schools

find their logical sequence in the university. Really the same arguments which justify the maintenance of the public high school justify the public support of the university. The line which divides them is constantly changing. The high school to-day teaches branches which the university taught yesterday. Hardly any one now advocates limiting public education to the elementary branches. All recognize the fact that society must have a large number of men and women whose education has been carried far beyond those branches. When society has furnished such persons with this advanced education, society reaps the benefits quite as fully as they. The advantages of such education cannot be confined to the possessors of it. The teacher and the physician bless others by their labors even more than they reward themselves. Those who have gone forth from these halls are returning to the State far more than what their education has cost the State, by their active and intelligent lives, by becoming centres of intellectual light and stimulus in various parts of the State, by their influence in helping shape a sound public opinion, by their sympathetic support of public schools, and by all the thousand ways in which a person of cultivation and character blesses the community of which he is a part.

Third. The State university with its comparatively ample resources has not only furnished a good college education at an earlier date than it

would otherwise have been secured in most of our Western States, but it has furnished a greater variety of instruction in the collegiate department and has also afforded instruction in technical and professional studies. Most of the Western colleges not sustained by the State have been compelled by their narrow means to do their work with small and overtasked faculties, and to restrict the range and variety of their work more than they could have desired. The larger endowment of the State universities has enabled most of them to make more generous provision for teaching than those colleges, to employ a larger corps of well-trained instructors, to furnish better laboratories and apparatus for teaching science by the most approved modern methods, to give instruction in engineering and in other applications of science to the arts, and in several cases to establish schools of law, medicine, pharmacy, and agriculture. They have thus brought within reach of all the citizens of the State at a nominal cost to them every kind of higher education, except theology, which is required for the best civilization of the age. They have stimulated the other colleges and every kind of institution of learning to a higher standard of attainment than they would otherwise have reached. By co-operation with our excellent public school system they have almost entirely saved the West from that wretched sham which long afflicted the East, the so-called female seminary, which gave girls the only chance they had

for education, but which in so many cases gave only the thinnest veneer of an education.

In view of what has been accomplished by the State universities in their comparatively brief history and of their promise of much larger usefulness in the future, have we any words but those of commendation for the wise and good men who, in laying the foundation of these new States, made generous and far-sighted provision for the substantially free education of every boy and every girl, not only in the common school, but also in the university? The generations shall rise up and call them blessed. The States which find in every hamlet and on so many farms men and women with minds trained for the most intelligent discharge of every duty of life and for fulfilling with wisdom all the responsibilities of citizenship will ever gratefully remember that through the provision of the fathers they have come to realize the Platonic ideal of states, in which philosophers are kings. Not wells flowing with oil, nor mines teeming with silver and gold, nor plains covered with flocks and herds so enrich a state as noble men and noble women, equipped by training and culture to meet all the demands and high opportunities of our Christian civilization. That the State university is helping in a conspicuous degree to make her sons and daughters such men and such women must be its abiding glory, of which it cannot be robbed.

Fourth. Even an institution which is rendering so

great and useful a service as the State university can succeed in its beneficent work only in case the conditions of success are furnished. It has certain inevitable needs, which must be supplied. Let us see what its principal needs are.

1. Its affairs must be well administered by its board of curators, its chief executive officer, and its faculties. This may seem a commonplace remark. But an explanation of it will relieve it of its commonplace aspect. I mean to say that the proper administration of a university is a profession, a special business, which calls for experience and certain peculiar gifts in the administrators, and especially in the executive. The administration of the old typical colleges was comparatively simple. The curriculum of study was stereotyped. The Faculty was small, the income needed was not large. The public, regarding it as something, if not sacred, yet as mysterious to them, and concerning them but little, never ventured to criticise any of its methods or its general policy. In fact they gave very little thought to it. Almost any clergyman who could make a good appearance in the pulpit of his denomination and teach from text-books the elements of intellectual and moral philosophy could fill the presidency acceptably. The trustees were seen at the college only during the crowded hours of the Commencement season, and their business was usually performed in the most perfunctory way.

How different is the case with the State university,

and, indeed, with many universities to-day. The courses of study are varied and manifold. They require large Faculties and costly appliances. The annual expenditures are many times those of the college of other days. Not only must collegiate education be furnished by the university, but in most cases technical and professional training. Since it is under the control and dependent, in some degree, on the appropriations of the State, it is at once the pleasure and the duty of its officers to lay its affairs open to the public and to take all proper measures to keep the public acquainted with its operations. It must invite inspection and challenge criticism. It must be ready at all times to justify its policy before the people. Its curators, therefore, cannot well be so neglectful of their duties as many college trustees permit themselves to be. They should keenly feel themselves responsible to the public for the manner in which they execute their trust. They should have meetings frequently enough to understand the affairs of the university and to decide upon the scope of its work and its general policy. They may safely leave, and practically they must leave, the details of the work inside the university to the Faculties, reserving to themselves, of course, the right of ultimate control. Considering that they have generally been men who have engrossing business pursuits or heavy professional cares of their own, and that their labors as regents have been unrequited save by their consciousness

of useful service, it must be admitted that they have for the most part been very faithful to their duties.

2. It is in the highest degree desirable that the State university should, so far as possible, be understood and appreciated by the people of the State. To accomplish this is not easy. The proportion of the citizens of any state who can pursue their studies at any university or college is so small, the number of them who can ever even visit its builings and grounds is so limited, that it is very difficult to give to the great masses of the people an accurate idea of the precise nature of the work done at the university, much less of the method and spirit in which it is done. There is, therefore, a not unnatural tendency on the part of some to suppose that the university is a sort of aristocratic institution, intended to confer special privileges on a chosen few, and that it is conducted with extravagance. No pains should be spared by regents, teachers and students to correct erroneous impressions and disseminate correct information on these points. By speech, by official reports, by the aid of the press, the indisputable facts should be made known, that the overwhelming majority of the students in every one of these institutions are the children of parents who are poor, or of very moderate means: that a very large proportion have earned by hard toil and by heroic self-denial the amount needed to maintain themselves in the most frugal manner during their university course, and that so far from being an

aristocratic institution there is no more truly democratic institution in the world than the university, none in which wealth and birth pass for so little and brains and character for so much. So far as practicable, without neglect of their classes, the university teachers should improve such opportunities as offer to address the people of the State, especially upon educational, scientific or literary themes, to manifest their interest in the public schools, and to show the people in every proper way that it is their interests which the university and all connected with it desire to subserve. I deem it of great consequence that the financial conduct of the institution should, with the utmost frankness, be made known to the State by publishing official reports. The more thoroughly the people come to feel that the State university is their university, sustained in large part by their money, and for the benefit of their children, and through these children for the benefit of the State, and that it is economically administered, the more strong and secure is the life of the university.

Third. The university needs as a condition of success that provision should be made for its growth and development. In this prosperous western life, which increases wealth and population at so rapid a pace, the demands on the State university must constantly and rapidly increase. In these circumstances, for the university to stop growing is to retrograde and begin to die. If it is not continually

enlarging its facilities for instruction and improving its methods so as to keep abreast with other first-rate universities in the quality of its work, then it is relatively, if not absolutely, going behind and bringing discredit on itself and on the State. If the State is not only willing that it should grow, but proud that it should grow, then the State had better kill it at once. Instant death is greatly to be preferred to death by starvation or torture. Men of high worth and noble spirit will not long work in an institution which is forbidden to grow and improve. If it is to have a wholesome growth, it must be conducted on some well-considered plan. It must be so supported and administered as to have a certain steadiness of life. Its abler teachers, whose ability and reputation give it a name, should be so compensated, and should be so sustained by the governing board and by the public, as to have comfort and a sense of security in their positions. It cannot be too emphatically declared that it is not fine buildings nor great colleges that make a university, but gifted and learned men, endowed with the power and fired with the love of teaching and inspiring their pupils. If these can be retained on conditions which allow them to be reasonably free from solicitude to enjoy intellectual independence, and to throw their whole energy and enthusiasm into their work, students will flock to their rooms, sit delighted at their feet, and catch their spirit of scholarship and industry. And wherever you have

great teachers and enthusiastic students you have a university, even though they dwell in log cabins and teach and study upon the open prairie.

Nor should it be forgotten by any of us, especially should it not be forgotten by the students themselves, how largely the growth and prosperity of a university are dependent on the students. The Regents and the Faculties do not make a university. The Regents, the teachers, and the students make a university. It is of the first consequence that the students appreciate the responsibility which rests on them in making a good name for the university and in promoting its prosperity. Nor are they generally delinquent in this regard. If occasionally they are tempted into youthful indiscretions or if, with that affectation of cynicism which sometimes appears with the first sprouting of the beard, they indulge in over-wise criticism of their elders, yet as a rule with a beautiful enthusiasm they sound abroad the praises of their favorite teachers, stand loyally by the colors of their institution in the face of all opponents, and gladly do what they may for its honor and glory. This comes perhaps generally from a wholesome and hearty impulse rather than from a consciousness of the power they really have to commend the university in all parts of the State and so to build it up. The ardent affection of the graduates of a university is a richer treasure than the uncounted gold of a stranger. Who so well as these students that I see before me can perform that needed work of which I have before

spoken, of making this University understood and appreciated by the thousands who can never see its real life? As the years go on, the students who have dwelt in these halls will be found in every city and town and hamlet and rural district in the State. If everywhere they shall have some good word for the dear mother, there will soon exist everywhere that public pride in the university which is the best guarantee that it shall have the means of healthy growth.

Fifth. Does not this study of the difficulties, the advantages, and the needs of the State university inspire us with hope for its future? The difficulties are not insuperable, the advantages are positive and great, the needs can for the most part be readily supplied in these prosperous Western States. Each of these states has the territory and the resources of a European kingdom. There should be in each at least one vigorous university. Germany has one for each two million inhabitants. Most of these states will at no distant day each have more inhabitants than that number. Some of them have more already. Can any one who measures the strength the State universities have already attained cherish a doubt that the one great university in each one of these States, if there is to be one great university in each, will be the State university? Then the State in its legislation and the university in shaping its development should lay their plans in view of this fact.

Think of what a future this State may have before it. In area she is larger than England and Wales, and more than twice as large as Scotland. The population is about half larger than that of the kingdom of Denmark. Lying in the very heart of the continent, favored with a matchless climate, watered by the two great rivers of the continent, teeming with agricultural, mining, and manufacturing resources, which can hardly be measured, with the amplest communications by river and by rail for the transportation of her abundant products to the markets of the world, with a population drawn from the choicest stocks of other States and of the old world, a population abounding in energy, lofty in character, with a history lustrous with the achievements of men renowned in every honorable vocation, what elements of an imperial State, what assurance of a brilliant future are wanting to her? But with all these advantages, one thing she must make sure of, or they will prove powerless to retain for her that commanding position she has long held, and which you are hoping and predicting she will continue to hold. That one thing is a goodly number of men trained by the best education which the age can furnish them for leadership in all departments of human activity, for eminence in all branches of civic life. In the hot competition of these times those communities and States which produce the best intelligence and the loftiest character will press to the front. The whole nation is looking to

the West, which is marching to the front with such tremendous strides, to wield the preponderating influence in guiding our national affairs and shaping our national destiny. But the West cannot win this high honor and does not deserve it unless, while abounding in natural prosperity, she can rear generations of broad-minded, thoroughly trained, high-souled men to speak and act for her in all posts of responsibility in the hour of the nation's need. In this great work may this State and her university do their full part.

THE OLD COLLEGE AND THE NEW UNIVERSITY

JULY 1, 1899

THE FOUNDER'S DAY ADDRESS DELIVERED ON THE OCCASION OF THE TWENTY-NINTH CONVOCATION OF THE UNIVERSITY OF CHICAGO

V

THE OLD COLLEGE AND THE NEW UNIVERSITY

MAY I allow my personal experience to suggest my theme to-day? Exactly fifty years ago I went forth from college with my diploma, as these graduates go forth at this hour, to test in the conflicts of life the worth of myself and of the discipline and scanty learning which my diploma represented. As I am one of the comparatively small number in this assembly who cherish vivid recollections of the life, organization, and methods of the American college of half a century ago, it has occurred to me that it might not be altogether uninteresting or unprofitable to you if I should attempt to set before you some of the contrasts between the college of 1849 and the university of 1899. I say the college of 1849 because, although some small colleges called themselves universities, the title on the catalogues of the two largest institutions, Harvard and Yale, for 1849–50 is college, and not university.

It is surprising how little the college of the middle of this century differed in its general plan from that of a century before, or even from that of two centuries before. The English colonists who established the New England colleges naturally built them on the model of a college of Cambridge or of Oxford Univer-

sity. Master and tutors with titles slightly changed, dormitories, with hours in rooms to be strictly kept, Commons Hall, where tutors and students shared the simple fare, the ancient classics, the mathematics, logic, intellectual and moral philosophy, evidences of Christianity as the principal studies, comparative seclusion from the outside world, college prayers at dawn attended by half-dressed students not always in a devout frame, after that a recitation for an hour before breakfast — such were some of the marked features of college life.

It is no exaggeration to say that during the last fifty years, one might even say during the last thirty years, there has been more discussion of the methods and aims of collegiate and university training than had been known from the planting of the New England colonies down to 1850. There was nowhere such questioning of the wisdom of the one course everywhere followed as was raised so long ago as Bacon's time concerning the English colleges. For that great man, to whose treatise on the Advancement of Learning even now so little can be added, complains that "the exclusive dedicating of foundations and donations to professory learning hath not only had a malign aspect and influence upon the growth of sciences, but hath also been prejudicial to states and governments." "For hence," he adds, "it proceedeth that princes find a solitude in regard of able men to serve them in cases of state, because there is no education collegiate which is free, where

such as were so disposed might give themselves to histories, modern languages, books of policy, and civil discourse, and other like enablements unto service of estate." That criticism of Bacon might have been applied with almost equal force to the American colleges down to the fifth decade of this century.

The only important exception to the common form of organization and work in the United States was the University of Virginia, which was opened in 1825. As you all know, Mr. Jefferson devised the plan of that institution. It is said that he was largely influenced by the suggestions of a distinguished Frenchman, M. Dupont de Nemours, in perfecting the scheme. It bears the impress of a mind familiar with continental universities. It anticipated, to a considerable degree, the methods of the universities, which allow elections of different courses of studies, and which confer degrees as well upon proficients in science as upon those who have completed courses in the ancient classics. From some cause the experiment in Virginia, though it proved reasonably satisfactory to the citizens of that State, was for a long time nowhere imitated. Whether this failure to commend itself to general favor was in any degree owing to the somewhat widespread distrust of Mr. Jefferson as a theorist in science and education, or to the want of the ample means required to establish and maintain an institution on his plan, I cannot say. But probably

not a dozen college instructors in the country were then prepared to believe that any considerable change in the American college system could be an improvement. It was apparently from deference to the earnest wishes of Mr. Jefferson, to whom the university owed its very existence, and who bestowed years of the most patient labor upon it, rather than to a deliberate approval of his scheme by his associates, that the institution took on a form then so novel. Mr. Madison used to urge, we are told, in the meetings of the Board, that "as the whole design originated with Mr. Jefferson, and the chief responsibility for success or failure was his, it was but fair to allow him carry it into effect in his own way."

I have never heard that the establishment of the University of Virginia gave rise to any general discussion of college methods in the journals or the academic circles of that day. But a few minds were soon considering some of the questions which have since engaged public attention. There were a few earnest debates upon the importance of the ancient classics, the most notable of which was that between Mr. Grimké and Mr. Legaré, of South Carolina. The corporation of Yale College was asked to consider whether the study of Greek and Latin should be dispensed with. Amherst College actually announced a course in which no classical study was required, but soon abandoned it. In 1825 George Ticknor warmly urged Harvard College to open an unlimited choice of studies to undergraduates and

suggested other changes in the curriculum. At about that time Harvard did open a limited range of options to the students.

In 1829 the Faculty of the University of Vermont drew up a paper on collegiate work which attracted much attention. It was the fruit of the earnest deliberation of a corps of gifted teachers, among whom were James Marsh and Joseph Torrey. Its most valuable feature was its careful arrangement of studies in a philosophic order, based on a profound study of the laws of mental development and of the nature and value of different branches of knowledge. It may even now be read with interest and profit.

But it was, so far as I know, to that vigorous and inspiring teacher, President Wayland, of Brown University, that we owe the earliest volume on the subject of American collegiate education. In 1842, when the state of Rhode Island was rent with civil commotions, he prepared his little book entitled "Thoughts on the Collegiate System in the United States." He occupied himself more with exposing the defects in our system than in suggesting remedies for the evils. But the first step toward finding the remedy is a clear perception of the evil. It may fairly be claimed that Dr. Wayland was one of the first, if not the first, to make a careful study of the weak points in our traditionary system. But his treatise, though it was read with attention and interest, did not produce any immediate effect upon

the American collegiate system. For nearly ten years more, life moved on in the quiet old way under every college roof.

But suddenly in 1850 the academic circles were startled by the ringing summons to reconsider their methods of work. The fearless and self-reliant thinker who in 1842 saw so many defects in our colleges now came forward, full of hope and enthusiasm, to offer remedies. His glowing words kindled hot discussions on every side. A few were with him, but many were against him. No single treatise or paper which appeared before Dr. Wayland's Report to the Corporation of Brown University in 1850, perhaps none which has appeared since, has awakened so fruitful discussions as that. It began, is it too much to say that it caused, that agitation in academic circles which has resulted in some modification of the course in every college in the land. From the day of its appearance until now, not only educational journals, but the secular and religious journals, the magazines and reviews, college faculties, the patrons of colleges, all that great company of people who are interested in the character of our higher education, have been vigorously arguing to determine what the American college and university should aim to be and to do.

Some of the most salient recommendations in this report were these: The abolition of the fixed term of four years of study as the requisite to a degree; the opening of large choice of studies to students; the

recognition by a degree of the completion of other than classical work; the establishment of courses in the application of science to the arts; the endeavor to meet in every way every variety of intellectual want. Unhappily the funds raised for the reorganization of the college were not enough to give full execution to the plan, and some of the details were not wisely arranged. But the ideas of larger liberty in the election of studies and of an ampler opportunity for scientific training and of a more just estimate of the relative value of scientific training to the purely classical, all of which were emphasized in Dr. Wayland's report of 1850, were never again lost sight of in the discussions of American collegiate schemes. That great leader in shaping the educational ideas of the West, President Tappan, who was deeply inspired by Dr. Wayland's report, immediately on entering upon his duties at the University of Michigan in 1852 set up the scientific course parallel to the classical, and soon after established a school of engineering. All the State universities of the West have followed in the same path. Harvard, which in George Ticknor's time was the first to make a small beginning in offering elections in studies, was under its present energetic president the leader in throwing open the widest elections to the candidates for the degree of Bachelor of Arts. It is not my purpose to trace in detail the evolution of the remarkable changes which have taken place in college and university life since 1849, but rather to

direct attention to the contrast between the college of that time and the university of our day.

Half a century ago the curricula of the various colleges differed very little from one another. Four years of studies, almost the whole of which were rigorously prescribed for every student, regardless of his tastes, aptitudes, or plans of life, were laid out in substantially the same way in every institution. Most of us, therefore, received whatever help there is in the discipline of doing or failing to do some work uninteresting or impossible to us. The instruction in science was for the most part meagre and addressed to the memory rather than to powers of observation and reasoning. It was generally taught from text-books, and in the case of physics and chemistry enlivened by some lectures with experiments which enlightened the hearers by their failures almost as often as by their success. Chemical laboratories in colleges were almost or quite unknown. I think the only one opened in 1849 was that in the Lawrence Scientific School, but it does not appear from the Harvard Catalogue that it was open to college students. Laboratories for other scientific studies than chemistry were not thought of at all. It will readily be seen that the method of scientific instruction has been entirely revolutionized. In the last half century no more important step in education has been taken than in the universal introduction of the laboratory methods in the sciences. Of course with this change has come the appropriation of much more

time to the pursuit of science by men who wish to become experts in it. Under the old system it was possible to obtain only a smattering of any science. One third of a year was usually given to each, sometimes only one sixth.

It is obvious that with a rigid curriculum, in which every one was obliged to do a little of many things, it was impossible to give to some branches the time for any but the most elementary work, or even to touch some branches to which much time is now devoted. For instance, Political Economy in 1849 was pursued for only one third of the college year in Yale and Brown, and in Harvard was coupled with Story's Commentaries on the Constitution as one study for half the college year. No ampler instruction in that subject was then attainable in any college. Modern and mediæval History, which has now become so important a branch in our universities, then received scant attention. The Yale Catalogue of 1849–50 carries the name of no Professor of History. The same can be said of Brown, though the Professor of Rhetoric did give some of his time to the teaching of History. The Catalogue of Harvard was adorned in 1849 with the great name of Jared Sparks as Professor of Ancient and Modern History. But I doubt if any other college in the land had a chair of History fifty years ago. English Literature fared as badly as History. You will not find it specifically named in the curriculum of any college of that day. The Professor of Rhetoric was expected to direct

the attention of his pupils to some of the great authors in illustration of his teachings. But the systematic study of them was rarely called for, except as they might be named as the subjects of essays or speeches. The opportunities for the study of the Modern Languages were very restricted. In Yale College for two thirds of a year they could be pursued. In Brown University French was offered for one year and German for a short term. In Harvard much more generous provision was made. But in most colleges not more than a year's instruction in French or German was given, and in some none at all was furnished. Of course almost never could what we now call advanced undergraduate work in Mathematics or Science or Philosophy be attained. Several branches now taught in all stronger institutions were not taught at all; for example, Comparative Philology, Early English, Pedagogy, Sociology, Sanscrit, and the Semitic tongues. The range of college work was restricted to a degree which must seem to the student of our day as scarcely credible. The methods then pursued in instruction in science are not now tolerated in a decent high school.

The favorite expression employed then to designate the relation sustained by the President or the Faculty of the college was *in loco parentis*. This expression had come down from the days when the President inflicted corporal punishment on recalcitrant pupils. Under cover of it stern executives, in a spirit sometimes not lacking in arbitrariness,

laid a great variety of penalties, including pecuniary fines, upon the youths who were subject to their parental care. Bearded men were kept under a minute surveillance night and day, such as is practised now only in boarding schools for small boys. Their rooms were often visited twice a day by a Professor to see that they were rigorously keeping hours prescribed for study. Absences from prayers, which were held before light in the winter mornings and at four o'clock in the afternoon, and absences from rooms at the time of the Professor's calls, were punished by fines, which increased in rate as the number of absences increased. A waggish classmate of mine, who was studying the laws of prices in Political Economy, once complained to the college authorities that college prayers were the only article he ever bought which were dearer at wholesale than at retail. The life in Commons Hall, where at meal times the impulsiveness of the hungry throng was restrained only by the presence of one tutor who sat at the Seniors' table, was conducive to anything but elegance of manners and soundness of digestion. The distance which separated the students from members of the Faculty in their personal and social intercourse was greater than that which now exists in most colleges and universities. And the fact that the Professors were required by the organization of the institution to keep up a sort of espionage on students at all hours greatly stimulated the students to outwit and annoy the professorial spies by tricks

and escapades which have happily disappeared, for the most part, from our principal institutions of higher education. I think all who can remember the college life of half a century ago will agree that the conditions were less friendly than the present to the maintenance of pleasant and profitable relations between teacher and pupil and to the growth of manliness and serious purpose in the student. The contrast is often felt at Commencement dinners when some venerable graduate has the bad taste to entertain the company with the stories of his silly college pranks, of which any student now would be incapable.

Dr. Woolsey, in his historical address at Yale College in 1850, called attention to the fact that the college course as it was given at that time tended to repress individual peculiarities and cast all men in the same mould more than the course of the previous century, in which the students were incited to argue and debate on philosophical questions. There can be no doubt that the uniformity of the work which all the students had to accomplish, whatever the differences of mental make among them, tended far more than the present system of large elections to prevent the development of men along the line of their native gifts.

One result was sometimes attained in the old college which is less easily secured in the great university of the present day, a result due not to any superiority in organization, but to the limited number of students then in attendance. It was the powerful

impression of a great teacher, when a Faculty was so fortunate as to have one, on the minds and characters of the great mass of students. When Eliphalet Nott or Mark Hopkins or Francis Wayland had a class of only thirty or forty students in daily contact with him, the stamp of the teacher was ineffaceably set upon almost every student, so that the whole college took on the shape and coloring of his mind. No one teacher, however gifted and impressive, in our great universities, where the students are pursuing such a diversity of courses, can wield such a power over the whole body of students, though, doubtless, a Nott or Hopkins or Wayland, if a member of the Faculty of a modern university, would draw to his class-room a larger number of pupils than was found in Union or Williams or Brown in their day. The result of this contact of a master with the whole membership of a small college is generally considered as an indisputable advantage. But it is perhaps open to dispute whether it is better for a whole body of students to be thus dominated by the doctrines of any one man, however eminent, than to have the more catholic discipline which flows from contact with excellent teachers of various attainments and temperaments. The great scholars of Germany habitually follow the practice of going from one university to another, to sit at the feet of more great masters than one. And just now the first scholars in this country are laying plans to facilitate the migration of our graduate students from one university to

another, in order that they may touch the best teachers in more than one.

While the old college was made illustrious by some such famous teachers as those I have named, it is to be observed that the university of our time demands, as a rule, much larger attainments in its Professors than were formerly asked. Fifty years ago many professorial chairs were filled by men who had not made much special study of the branch or branches which they were appointed to teach. I say branches, because in many cases, in scientific teaching generally, a man was expected to teach two or three, or even more, branches. Not infrequently a preacher who had become weary of writing sermons, or whose parish had become weary of hearing his sermons, was appointed to a chair, because it was hoped he could teach respectably, while he could commend the college to the public by supplying pulpits of the vicinity from time to time. Having this means of earning something on Sundays, he could afford to accept a moderate salary for his college work. One such gentleman applied for a chair in a college with whose Faculty I was connected, and when asked what chair he thought he was fitted to fill, replied that he thought he could slide into almost any one of them.

But teaching in a college or university of the first rank has happily become a profession, for which long and careful preparation is now exacted. A man who has failed in another calling can no longer expect to "slide" into a professorial chair. True, not

all the learning which can be acquired in the best American and European universities will make a successful professor of the man who has not in him the divine gift of teaching. But even the possessor of this divine gift must bring to his work now a generous outfit of learning in his chosen branch. And the leading colleges and universities in our country may now well be proud of the brilliant generation of scholars who fill most of their important chairs of instruction. Under the old order of things there was no necessity, and little inducement, for the teacher of any branch but the ancient classics to go far beyond the comparatively elementary stages of learning. But the elective system and the graduate work in all our universities now demand that there shall be learned specialists, who have pushed their studies well up to the remotest frontier of knowledge in their respective fields, and are constantly striving to explore beyond that frontier.

The contrast in the range of the advantages now offered in the university and in that of the opportunities present in the college of fifty years ago is well typified in the contrast between the buildings, laboratories, libraries, and other educational appliances of a good university of to-day and those of a college of olden time, or in the contrast between their endowments then and now. It would be a moderate statement to say that the income-yielding funds of our stronger institutions have increased twenty-fold, and that the income and expenditures of some of the

most important have increased much more than that. In 1850 the total endowment funds of Brown University amounted to only $34,500. The income could not have much exceeded $2000. Last year the income of that institution was $129,677. In 1850 the income of Yale College was $23,000. I suppose it must be at least $700,000 now. The salaries of professors in 1850 were $800 to $1000, in Yale $1150. The income of Harvard is now about $1,200,000.

A university of the leading type cannot go on without a plant and endowment of several millions in value. This increase in the resources and outlay of a university is due in part to the necessity of accommodating more students, but also happily to the desire to have buildings of becoming architecture, to the great costliness of scientific instruction which has been so rapidly developed, to the collecting of large and valuable libraries, which are so indispensable to the scholar, and to the enlargement of the faculties, consequent not only on the increase in students, but to specialization in teaching. The conduct of a university has become, from one point of view, a great business transaction. On this account, as well as by reason of the important changes in the organization of the work, the duties of the president of such an institution have been considerably modified. The qualifications for success in the executive office are different from those which were formerly regarded as sufficient. It used to be thought that a clergyman of imposing appear-

ance, who could make a good impression in the pulpits of his denomination, who could teach intellectual and moral philosophy from text-books and show some tact in managing unruly students, and who had received the degree of Doctor of Divinity, possessed the essential qualities needed for a college president. But intelligent trustees of a university, who are seeking a president, now look for a man with administrative talent, with some familiarity with business methods, with a knowledge of men, with judgment in choosing and tact in leading the many teachers now required in a great faculty. He is of course expected to have scholarly attainments in some branch of learning, and to be familiar with the best thought on educational problems. But he is not asked to teach, and unfortunately in my opinion does not generally give any regular instruction. If we may judge from the number of important universities that are always seeking presidents, the needed combination of qualities now looked for is not easy to find, or the men who possess them wisely prefer to follow some other less trying and exacting pursuit than that of a university executive.

Not only has there come a change in the qualifications of the teachers and the executive during the present generation, but also a marked change in the proportion of students who are not intending to follow the professions of the ministry, law, and medicine. Originally, as is well known, the New

England Colleges were chiefly intended to supply the churches with a learned ministry. They were regarded as also useful for men looking to the practice of law or medicine. But rather slowly the conviction became general that a liberal training was useful to men who were to engage in other pursuits. Fortunately the belief has become widespread that it is essential to the highest success of a man of any calling to have a well-disciplined and thoroughly furnished mind and to be moulded into that type of manhood which a university life is calculated to produce. So it has come to pass that a very large proportion of students in our day are not looking forward to what used to be called the learned professions. But welcoming the opportunities now offered in the varied courses of instruction in the university for general culture or specific training in some one direction, they crowd the halls of learning and go forth to beneficent and illuminating lives in every worthy pursuit. The result is that the blessings of university culture directly and indirectly are diffused much more thoroughly then formerly throughout all parts of the body politic.

No other change in the constitution of the student body has been so striking as that caused by the opening of colleges and universities to women. Fifty years ago there was no school of really collegiate rank to which a woman could gain admission. Now women can, in this country, have access to the same opportunities for collegiate and university

training as men. Of the many beneficent and far-reaching consequences of this change in educational administration I cannot now speak. But I cannot refrain from saying that no other single cause has done and is doing more to elevate the work of our secondary schools. By far the larger number of teachers in high schools, especially in the West, are women. Formerly most of them were unable to secure the needed training for their work. Even if here and there a woman, by her exceptional talent and energy, had succeeded in the face of all obstacles in obtaining that training, she was weakened and embarrassed in her work by the fear that she was not as well prepared as the men who competed with her. But now she not only has the very same training as they, but she knows that she has it, and conducts her classes with a confidence which adds immensely to her power as a teacher. The remarkable improvement which has been made in the high schools of the West has been largely due to the ampler learning and the confident power which women now carry from our universities to the schools.

A feature of considerable importance in the new life of college and university is the training in gymnastics and the prominence of athletic games. Baseball and football were favorite college games long ago. But the costly and commodious modern gymnasium was not found half a century ago on any college grounds. Intercollegiate contests were unknown. The newspapers blazoned forth the achieve-

ments on the field of no college hero. The athletic rivalries were confined to classes in a college. Now the gymnasium is one of the most spacious and costly edifices in many universities. The teacher of gymnastics is a member of the faculty. The athletic contests receive the careful attention and are under the control of a committee of professors. If one were to judge by the space given to intercollegiate contests in all the newspapers, one would conclude that the main purpose of a modern college or university is to row or to play baseball or football, and that study is merely an incident, a diversion, a by-play.

That the systematic and wisely conducted exercises of the gymnasium and the spirited games in the athletic field, when played in an unprofessional spirit, are conducive to health, self-control, and manliness, cannot be doubted. I believe that by our attention to physical training we are rearing a stronger and more vigorous generation of students, both men and women, in our higher institutions than the preceding generation. That we have yet something to learn by experience of the proper relations of athletics to university life and of the wisest use of them will probably be conceded by all.

One of the most striking and encouraging facts in the growth of the new university is the rapid development of the graduate school. Yale College established such a department in 1847. In the catalogue of 1849–50 the names of twenty graduate students

appear, in the Harvard catalogue for the same year the names of four. For the most part, in those days those who wished to carry their literary or scientific studies beyond the old curriculum were obliged to go to the European universities. But now every important university has a well-organized graduate department, with a considerable company of zealous students who are pushing their work far beyond the frontier of the undergraduate department. The number of such students now in attendance is estimated at more than five thousand. These graduate schools are the nurseries of the great body of most accomplished teachers for our high schools, academies, colleges, and universities. In these are some learned, conscientious, and inspiring professors who impart as good instruction as can be obtained in any European university. The fact that most of them are handicapped by the necessity of giving instruction to undergraduates, of course, seriously interferes with the attainment of the best results. But the lifting power of the presence in the university of a considerable number of mature graduates, working in their free and earnest manner, is felt by the whole body of undergraduates. But if we are to do the work to which we aspire through our graduate schools we shall have to create a faculty of learned teachers who can give their entire energies to the instruction of graduates by the methods especially suited to them.

Perhaps in no particular is the contrast between the old college and the new university more marked

than in the close relation of the university, and especially the university in the West, to the public and to the schools. It is not easy for us now to realize to how great an extent the college of fifty years ago was isolated from the public. By the great mass of common people it was regarded as the home of useless and harmless recluses, of the mysteries of whose life they knew nothing and for whose pursuits they cared nothing. The college officers took little pains to make themselves or their work known to the masses. They did not particularly concern themselves about cultivating intimate relations with the schools. They lived in a sort of dignified seclusion. Their influence was, therefore, not directly felt to any great extent in the educational systems of the states. Nor did they take much pains to adjust their work to that of the schools.

But we all know how conspicuous most of the universities have been in recent years in all educational discussions and in reforms of the primary and secondary schools, as well as of collegiate work. They have abandoned their monastic seclusion. They have sought to make their aims and their life known to all the public and to interest all classes of men in their welfare. They have endeavored to shape their work so as to be of use to society at large and have spared no effort to convince society that their supreme desire is to be of service to all classes and to all mankind. They have cultivated the most intimate relations with the secondary

schools and have adjusted their courses to meet and supplement those of the schools. Especially in the West, though there is no organic and compulsory unity in the educational system of any state, the universities have by wise adaptation to circumstances secured a practical unity between themselves and the secondary schools almost as complete as that between the secondary schools and the lower schools. More than that, many of the professors in the universities have joined in every effort to complete and elevate the public school systems of the states, so that, to a degree never known before, there is a feeling of sympathy and community of interest between the teachers of all grades of school from the kindergarten up to the graduate school of the university. I think we may, without boastfulness, claim that the universities of the West have been conspicuous in this useful work. Perhaps nothing that they have done will be seen ultimately to have been of more permanent value to the nation.

It is gratifying to see that this new movement on the part of the universities has met with a most hearty response from the public. The amount of money which has been poured into the treasuries of our universities during the last few years astonishes even the Europeans with their richly endowed institutions. I have heard it estimated by a careful scholar that since 1869 Harvard University has received in gifts a sum equal to fifty dollars for each day of these thirty years. The civic pride of this

city, than which there is no stronger or more enthusiastic in any city of the world, has reared these palaces of learning and enabled this University in less than a decade to reach a development for which Harvard had to wait two centuries and a half. The Legislature of this state, representing a constituency mainly of farmers, to whom the earning of a dollar means much toil and sweat, so appreciates its State University that it cheerfully voted this spring to raise by taxation about $700,000 in aid of it. The State of Nebraska, which only a few years ago was asking charity for its destitute farmers, whose crops drought and grasshoppers had destroyed, has just voted a tax of a mill on a dollar for the support of its University. Wisconsin has for years been raising by taxation $200,000 or more a year, and Michigan has just voted, with only four dissenting voices in its legislature, a tax yielding about $275,000 a year for the University's support. Public and private generosity thus rival each other in the hearty support of the universities which have had the wisdom to dedicate themselves with all their resources to the public service.

Is there any more auspicious sign for the future of our country than the readiness of our people to pour out their money like water for the support of their institutions of learning, and the eager desire of our scholars and teachers to perfect our educational systems? Our universities have by no means reached their ideal development. All of us who are con-

cerned in the administration of them see room for many improvements. But when we see what fifty years have accomplished in the evolution of the new university from the old and stereotyped college, we take courage and press on. Still larger resources must be made available for continuing the progress which has been begun. But we are confident that the American people, who, whatever their shortcomings, have a passion for education, will not stay their hands until some of our universities have attained an excellence which shall draw to them eager scholars from all parts of the civilized world. It needs no prophet's eye to see and no flatterer's tongue to tell that in that proud day this shall be one of the shrines to which the feet of the eager pilgrim scholars will turn, and here reverent and grateful mention will be made of the brilliant, generous, and devoted men who laid the foundations of this great University.

VI

A MEMORIAL DISCOURSE

ON THE LIFE AND SERVICES OF HENRY SIMMONS FRIEZE, LL.D., PROFESSOR OF THE LATIN LANGUAGE AND LITERATURE IN THE UNIVERSITY FROM 1854 TO 1889

MARCH 16, 1890

DELIVERED IN UNIVERSITY HALL BY REQUEST
OF THE SENATE

VI

HENRY SIMMONS FRIEZE

WE have gathered here to-day with that deep sense of loss which has weighed so heavily upon us for the past few weeks. Daily as we enter these grounds or pass through these halls, we miss the elastic step, the radiant face, the genial word of him who for more than a generation, as the inspiring teacher, the helpful colleague, the charming friend, has left a benediction on every life he has touched. For five and thirty years he has formed so large a part of the University that we who are left behind feel in our sorrow and privation as though a portion of the very life of the University had been cleft away. His loving and lovable nature drew those of us who had known him longest and best so close to him that it often seems to us as though in his death something was riven from the inmost being of each of us.

We have felt that we could not deny ourselves the sad pleasure of coming up to this place, where we have listened in days gone by to his words of instruction and cheer, to recall the chief events of his life and the traits of his character, and to express our appreciation of the man and of his great services to the University. In accepting your invitation to speak in your behalf on this occasion, I am painfully

aware how inadequate an idea any picture I can draw can give to a stranger of the combination of beauty and of power which was found in his delicate and noble soul. But I am sure that the memories of his old friends will fill the outline which I may sketch with a more lifelike portrait than pen or pencil or chisel can produce.

Henry Simmons Frieze was born in Boston, Mass., September 15, 1817, where his father, Jacob Frieze, resided for a brief period. His great-grandfather was German by birth. His father, who was a native, and for most of his life a resident, of Providence, R.I., was a man of marked intellectual vigor. The years of the early manhood of Jacob Frieze were given to teaching. Then he entered the ministry of the Universalist denomination and preached until an affection of the throat compelled him to desist. He was settled over parishes in Milford and Marlboro, Mass., and Pawtucket, R.I. Later he was engaged in editorial work on newspapers in Providence and distinguished himself in the production of political pamphlets, an agency which fifty years ago was largely employed in political campaigns in Rhode Island, as it had formerly been in England. He wielded a sharp and caustic pen and was a formidable antagonist in debate. He played a considerable part within my recollection in the public affairs of Rhode Island. From him the son inherited his intellectual activity, and also his courage, in which, with all his gentleness of manner, he

was by no means wanting. From him too he inherited his musical gifts. But from his mother, Betsey Slade, of Somerset, Mass., a woman of devout, sweet, and retiring nature, he received that delicacy and gentleness and modesty which were so characteristic of him. The influences in the home were both stimulating and refining.

But circumstances required the boy to become at an early age a bread-winner. While yet a lad he was placed as a clerk with an excellent Christian man in Providence, for whom he ever retained a strong affection. His taste and talent for music made him somewhat conspicuous as a musician while he was still young. Finding a remunerative position at Newport as organist and teacher of music, he removed thither. By the urgent advice of some of his cultivated friends in that city, who recognized his talent and his promise, he formed the purpose, though not until he was nearly nineteen years of age, of gaining a college education. While supporting himself by the exercise of his musical gifts he hastily and imperfectly prepared himself for college in the school of Joseph Joslin. During his residence at Newport he was confirmed as a communicant in the Protestant Episcopal Church, to whose interests he was in the most catholic spirit devoted through his whole life.

In September, 1837, when he was just entering on his twenty-first year, he was admitted to the Freshman class in Brown University. He was one

of the oldest students in the class. He used to say that the recollection of the amiable leniency of his examiners, to which he thought he owed his admission, always inclined him to be charitable in judging the applicants who in all these years came to him to be examined in Latin for entrance to this University. Though he was at first somewhat embarrassed in his college work by his lack of thorough instruction in school — since from the age of twelve or thirteen to the age of nineteen he had been constantly engaged in earning his livelihood — his talent and industry soon placed him at the head of his class, the position which he held at graduation. His work was excellent in all departments, but especially in the languages. He had less aptitude for mathematics than for other branches, but by dint of his diligence he succeeded well even in his mathematical studies. One of his classmates, Rev. Dr. Kendall Brooks, writes me, "He had great dignity, not only of manner, but of spirit also, and while he was not intimate with many students, he was profoundly respected by every one." He was organist and chorister of St. John's church, and Superintendent of the Sunday school during his entire college course. He was enabled by his services as organist and as a teacher of music to pay his college expenses and to assist needy relatives. It is clear that he must have been very industrious to maintain his high college rank and to perform so much outside labor. Moreover, during a part of

his Junior year, owing to some disease of his eyes, he was unable to use them in study. Many of his lessons he learned by having them read. Having received the highest honor at the Junior exhibition, the Latin oration, he was unable to touch pen to paper in the preparation of it, but dictated the whole of it. In all his college days he was conspicuously active and faithful in the exercise of a positive Christian influence. During his Senior year there came upon him the gravest of sorrows in the sudden death of one who was dearer to him than his own life. He bowed with Christian submission to the heavy affliction, but the chastening memory of it long left its impress upon him. The accounts that we get of his undergraduate career give us the picture of a gifted, earnest, devout, hard-working and successful student, who was learning not only what the college, whose standards were high and exacting, could teach, but also the self-reliance and discipline which dependence on his own toil for support and sore providential trials brought him in large measure.

Immediately on his graduation he was appointed tutor in Brown University, and held that position for three years. His duties consisted mainly in the teaching of Latin. Rev. Dr. Fisher, of the Yale Theological Seminary, who was one of his pupils at that time, writes thus of his recollections of the young tutor's instruction.

"His scholarship appeared to me to be faultless. Nothing in the author whom we studied escaped his

attention. It was impossible for any one of us to prepare perfectly for a recitation. There would be questions, fair questions too, which we had not foreseen. His ideal of accuracy it was in vain for us to attempt to reach. He always followed the translation made by a student with a translation of his own, and this was uniformly, if not more correct, more tasteful and finished than any of us by the utmost painstaking could present. Mr. Frieze was a gentleman and had a certain refinement and reserve which kept off undue familiarity. I think of him, as I always have thought, as a teacher of rare qualifications. I owe him a debt which it has ever given me much pleasure to acknowledge."

In 1844 Mr. Frieze became associated with a classmate in the conduct of the University Grammar School in Providence, and continued in that work for the next ten years.

In 1847 a happy marriage gave him the delights of a home, which with his affectionate nature he was so fitted to enjoy and to gladden.[1] Though our hearts run out with tenderest sympathy to his stricken wife and daughters, we may not invade the sanctity of their fresh grief even to describe the sweet and beautiful spirit of domestic love, which has lent such a charm to the quiet life of their home.

The University Grammar School was composed largely of pupils who were preparing to enter Brown

[1] August 16, 1847, he married Miss Anna B. Roffee, of Providence.

University. It soon acquired a most enviable reputation. It was my good fortune to enter that school in the late autumn of 1844 and to enjoy the instruction of Mr. Frieze in Greek and Latin until the following July. No event of my life ever gave me a stronger intellectual stimulus than the contact with that inspiring young teacher during those few months. My heart was at once bound to him with an affection which has grown stronger and stronger through these five and forty years. Such teaching as his was a revelation to me. How contagious was his literary enthusiasm! So brilliant, so stirring, so inspiring was all his instruction that the class seemed to be surcharged with his wonderful nervous activity. When in reciting the lesson we had exhausted our slender stock of knowledge, which after diligent study we had supposed with some complacency to be of considerable value, how were we often startled by a whole volley of questions, partly revealing what was new to us, and still more stimulating us to search before the next day for what was not revealed. When the exercise was closed, the blood was in our faces and our hearts were beating fast as though we had come from a contest on the ball ground. How vividly I recall him in the beauty of early manhood, as, with his dark, rich, curly locks falling on his neck, his eyes gleaming through his spectacles, he conducted his classes. He paced almost constantly up and down the platform. Now and then he halted suddenly to pierce

some stupid blunder with a sharp question as with a winged arrow, or again when we made a happy rendering of some fine passage in Vergil his face beamed with a radiance which was our sufficient reward. His mien and bearing seemed to impart to the class and to the whole school the spirit of his overflowing vitality and scholarly enthusiasm. He seemed to me the ideal teacher.

It is not strange that when in 1854 a vacancy occurred in the chair of Latin in this University, Professor Boise, who had been familiar with Mr. Frieze's career as a student and a teacher, should have directed the attention of the University authorities to his friend. Mr. Frieze was at once appointed to the position, which he held until the day of his death. It was a rare fortune which brought to the University in its early days two such classical teachers as Professors Boise and Frieze. They so impressed themselves upon the Institution in its plastic and formative days, they so commended the value of the studies committed to their care, they invested what were often contemptuously and ignorantly called "the dead languages" with such a charm, they so illustrated in their own minds the cultivating and refining power of the ancient literatures that from the very beginning of their labors an enthusiastic love for classical culture was nurtured in this University, and it has continued to this day.

After discharging the duties of his new chair for a

year, Professor Frieze obtained leave of absence in order to gratify a long cherished desire of visiting Europe for the purposes of observation and study. His mind, so keenly appreciative of all the beauties of art and of nature, and so thoroughly trained and disciplined, reaped the most abundant fruits from the visit abroad. He attended lectures at the University of Berlin, afterwards visited Italy, and returned homeward through France and England. Before he started, President Tappan had imparted to him something of his enthusiastic admiration for German scholarship and German methods of education. What he saw with his own eyes more than confirmed his previous impressions of the great excellence of the German gymnasial and university training, and after his return he never ceased to commend the application of German methods, so far as practicable, to the work of our high schools and universities. One can imagine rather than describe what delights and inspirations a European journey furnished to a soul with such a passion as his for music as well as for the beauties of painting and sculpture and architecture. President White, who was one of his travelling companions in Germany and Italy, writes to me with a delighted recollection of Mr. Frieze's animated and instructive conversation on questions of Roman life and character, and especially on music, and says, "I have always believed that had he been born in Germany he would have ranked with great composers and performers."

He tells a pleasing story of their travelling on a train from Dresden to Prague with some Bohemian soldiers, who were singing plaintive songs, and Mr. Frieze jotted down the notes as they sang, and reproduced the songs afterwards. Nothing that was worth seeing or hearing, we may be sure, escaped his alert and active mind. We who are so familiar with the extraordinary skill which he attained as an organist and a pianist, and with some of his musical compositions, cannot deem President White's estimate of his musical ability at all extravagant.

At his suggestion the Regents placed a sum of money at his disposal for the purchase in Europe of casts, statuettes, and photographs illustrative of archæology and ancient art. Thus was laid the foundation of our Museum of Art, for whose subsequent development he worked so assiduously during the years that followed. Its growth has been due more to his labors than to those of any other person. It was largely through his influence that the eminent sculptor, Randolph Rogers, decided to give us the casts of his works, and that other valuable works of art have been presented to the University.

He brought back from Europe higher ideals of his own work and much broader conceptions of the function of this University. He used in conversation to reproach himself that when in 1851 Dr. Wayland unfolded his large views of what our American colleges and universities should attempt, he had not acquired breadth enough to sympathize with the

ideas of that great teacher. But after coming here he was awakened by President Tappan's vigorous expositions of educational doctrines, which were quite in harmony with those of Dr. Wayland, to a clear perception of their worth. After his observation of European universities he was ever an enthusiastic supporter of the plans on which fortunately for us our first President shaped the life of this University during the eleven years of his administration.

The *spolia opima* which he brought from his literary, æsthetic, and archæological studies abroad added a new charm to his teaching. In his presence, in his class-room, even the raw and untrained student felt at once the subtle influence of the spirit of culture which emanated from the instructor. The fineness of literary perception, the delicacy of taste, which revealed themselves through all his interpretation of the ancient masters of thought, polished and elevated while they instructed the class. His exalted ethical nature led him also to impress upon his pupils without cant or platitudes, but in the most natural and effective manner, the moral, the heroic qualities of the ancient characters of whom they were reading. He made these characters living, real persons, who had their messages for our times and for us. The old literature was made vital with a fresh and throbbing life, that poured its currents into the lives of the youthful students of our day. Withal there was in him the inexpressible charm of the finest breeding, which wielded a power mightier

than that of official authority even over the rudest and most uncultivated student. How many a graduate have we heard say that two impressions above all they brought from Professor Frieze's class-room; namely, that he was the perfect gentleman, and that he had the finest culture. Who can measure the refining influence of such a mind and character on the hundreds of men and women who have passed under his hands?

He not only won the admiration of his pupils as the accomplished scholar and gentleman, but he also won their affection as their most faithful friend. His sympathy was so quick and expressive that they were drawn to him with a strong attachment. In his later years this love of his students for him was mingled with a sort of tender and filial reverence, which it was very charming to behold. It would have been simply impossible for any one of them designedly to do anything which would have caused him the least annoyance or to withhold any service which would afford him gratification. This affectionate devotion of his pupils was to him, as it is to every teacher, the most gratifying reward of all his labors.

On the resignation of President Haven, in 1869, he was appointed Acting President of the University. His characteristic modesty led him to hesitate about accepting the position, but he finally yielded to the persuasion of the Board of Regents. The two years during which he was the chief executive were marked by important events in the history of the Institution.

In 1870 women were admitted to all Departments of the University. This step was taken by the Regents rather in deference to public opinion than to the wishes of the Faculties. I think that Professor Frieze, like most of his colleagues, assented to the action of the Regents rather than urged it. To tell the truth, there were many misgivings here on the ground concerning the experiment of admitting women to these halls. But Mr. Frieze and his colleagues generally soon became convinced that the action of the Board was wise and he did all in his power to make the experiment successful. I never heard him speak of the presence of women in the University except with the greatest satisfaction. Another important step was due altogether to the suggestion of the Acting President. That was the establishment of the so-called diploma relation with the preparatory schools. The plan which he proposed and which was adopted in 1871 was an adaptation to our circumstances of the German method of receiving students into the universities from the gymnasiums. No measure has been adopted by the University authorities in many years which has been more beneficial to both the University and the schools, and none which has been more widely or profitably imitated by other universities.

It was owing to the prompt action of Dr. Frieze and the generosity of his friend, Philo Parsons, that the library of Professor Rau, of Heidelberg, was secured for us. It was at the instance of the

Acting President that the age for admission to the Literary Department was raised from fourteen to sixteen years, that music was introduced into the chapel service, that the custom of furnishing a dinner to the alumni and friends of the University on Commencement Day was introduced, and that with the hope of creating a common interest between the several Departments an attempt was made, though afterwards abandoned, to observe a University Day by public exercises. It was during his term of office that the Legislature voted the sum of seventy-five thousand dollars for the erection of the main building between the two wings of University Hall, and so established the happy precedent which every subsequent Legislature has followed in furnishing liberal means for the erection of needed buildings for the University. The power of Dr. Frieze's active and fertile mind was felt in every Department of the Institution. He was afterwards twice called to the position of Acting President during the absence of the President, once serving from June, 1880, to February, 1882, and again from October, 1887, to January, 1888. The heavy wear and tear of administrative labors from 1869 to 1871, rendered perhaps more difficult by the fact that he was known to be discharging them only temporarily, made a serious draught upon his not very robust constitution. No sooner was an incumbent of the Presidency, whom he with the partiality of early friendship had commended, chosen by the Regents than he sought

and obtained leave of absence in order to visit Europe again. He and his family remained abroad two years. He spent his first winter at Tubingen, diligently studying Sanscrit under that great scholar, Professor Roth, attending lectures at his pleasure in the University of Tubingen, and mingling freely in society with the professors. He afterwards spent a long time at the charming spot, which President Tappan subsequently chose as his home, Vevey. He travelled through Switzerland, went again to the chief Italian cities, remained for several weeks at Munich, and visited among other places Paris, Dusseldorf, Berlin, and Oxford. His object in this tour was not so much to devote himself to study as to seek tranquil enjoyment and recuperation in the midst of beautiful scenery and those æsthetic delights which fine music and the galleries of art afforded him. He came home in the summer of 1873, refreshed and invigorated, and ready to resume with zest the duties of his chair.

After his return his ideal of the proper work of his department and of the University was even broader and richer than before. He gave instruction to advanced classes chiefly in the works of Tacitus, of Seneca, and of Pliny the Younger. He lectured and commented on these authors in a very free, large, and suggestive manner. He discoursed with equal fervor on the pregnant, compact, sententious style of Tacitus, on the lofty ethics of the stoic philosophy as interpreted by Seneca, and on the high breeding

and varied culture of that fine Roman gentleman, the proconsul of Pontus and Bithynia. He has also lectured for many years past on the history of ancient art. He found opportunity to set forth in his lectures the functions of the several fine arts, to expound the canons of art criticism, to direct his pupils to the illustrations of art to be found in our Library and our Museum of Art, and to give them the results of his careful and appreciative studies in the museums of Europe.

In his teaching of Latin authors, though he always insisted on that accurate grammatical knowledge, without which one cannot be said to know a language, and though he did not in the least undervalue the importance of exhaustive philological training for some students, he was always inclined, as has been intimated, to concentrate the attention of his pupils chiefly on the literary and ethical lessons to be drawn from the Latin writers. These lessons, he believed, were what all except the few who were to be technical philologists most needed. More and more in his later years he was disposed to emphasize this idea. He insisted that Latin should be so taught as to form a solid foundation for the literary culture of college students, and that the importance of so teaching it was rapidly increasing from the fact that, especially in the West, large numbers read Latin, who read no Greek. He was ever urging pupils to take Greek with the Latin. He regretted the tendency among classical teachers to confine

themselves to one of these two ancient languages. He thought that by excessive specializing in their work they incurred the danger of becoming narrow, and that it would be better if, as in German universities, our classical professors gave some instruction in both literatures. But upon no point was he accustomed to dwell in these later years with so much fervor as upon the transcendent importance of teaching Latin literature not merely as a collection of works of gifted men, but as the expression of the life of the great Roman nation, uttering itself in history, philosophy, and poetry. Upon the exposition of it he would turn all the illumination to be furnished by Roman archæology and Roman art. According to his conception it was not Latin that we should study so much as Roman, the achievements, the spirit, the vital power of the Roman race. Nor should we teach and study the literature of Rome, with whatever enthusiasm and admiration, merely as a beautiful creation of a dead past, but rather as the flowering of an imperishable life, whose vital currents have been flowing through all the Western civilization of these eighteen centuries, and are still beating in the pulses of this nineteenth century. It was the Rome which has persisted with a power that no Goth or Vandal could overcome, the Rome which helps shape and fertilize our art, our laws, our literatures to-day, the Rome which bids fair to endure when every vestige of her proudest material structures shall have crumbled

into dust — it was that great, that glorious, that immortal Rome, which he sought to recreate for his loving pupils.

Dr. Frieze discharged the debt which every man is said to owe to his profession by preparing editions of the complete works of Vergil and of the tenth and twelfth books of Quintilian. These made his name familiar to students throughout the land. His accurate scholarship and his fine literary spirit here as elsewhere characterized his work and commended it to the approbation of our best classical scholars. His edition of Quintilian was the first prepared to meet the wants of American students. He had a marked fondness for Vergil. I have sometimes thought — perhaps it is only a fancy — that he was drawn to the old Latin poet by a certain resemblance between their characters. All the traditions depict the bard of Mantua as endowed not only with a graceful and beautiful mind, but also with a sweet, gentle, modest, affectionate nature, that bound friends to him by the strongest ties. I am sure there are some of us here who, in the sense of our great personal loss, have found springing to our lips those words of Horace concerning his friend, *animae dimidium meae.* We should certainly place him in the group of friends to whom we should apply those other words in which Horace speaks of Vergil, Plotius, and Varius:

"Animae, quales neque candidiores
Terra tulit, neque quis me sit devinctior alter."

Dr. Frieze wrote three years ago a charming little volume which was published in London on Giovanni Dupre, the eminent Italian sculptor. It set forth in flowing and simple style the story of Dupre's art life and revealed the author in every page as the sympathetic and appreciative lover of whatever is pure and true in sculpture. It contained also the translation of two lectures on Art from the pen of Dupre's friend, Augusto Conti, Professor of Philosophy in the University of Florence and President of the Academy Della Crusca. The book has been received with much favor by lovers of art both in England and in this country. The preparation and publication of it led to a correspondence between the writer and Professor Conti, which was very gratifying to our friend.

Two of Dr. Frieze's addresses may be here mentioned as especially worthy of notice. One was his discourse on Dr. Tappan, delivered in 1882, and the other was his discourse on the Relations of the State University to Religion, given at our semi-centennial celebration in 1887. The former furnishes the best portraiture ever made of the first President of the University; the latter the ablest discussion ever bestowed on the subject it handles. Both give us fine illustrations of the author's broad conception of the function of a State University and of his incisive, vigorous, and effective style of writing.

Among minor productions of his pen may be named a paper on Art Museums in connection with Libraries,

furnished for the Report of the United States Commissioner of Education for 1876, the descriptive Catalogue of our Art Museum, which shows the marks of much research, and felicitous articles in the University journals on deceased professors. The last article from his hand, written only a few days before his death at my urgent request, was a most interesting one, suggested by the presentation to our gallery of the statue of General Cass, and published in the Detroit *Free Press*.

It was always a matter of regret to his friends that one who wrote so well was so reluctant to write for publication, and even yet more reluctant to speak in public. His modesty led him to underrate the value of his work, and he was extremely averse to what he called the drudgery of committing his thoughts to paper. Nothing but a high sense of duty could overcome his almost insuperable reluctance, due in large part to his diffidence, to give a public address.

While conducting his own department with the highest aims, Dr. Frieze was ever seeking the improvement and development of the whole University. He was continually urging the lifting of the Institution out of the narrow ruts of a small local college, and giving it the scope and elevation and power of a national University. He never came so near the manifestation of impatience verging on anger as when some policy was proposed which, he thought, would bind us down to methods that we ought long

ago to have outgrown and abandoned. His vision was ever stretching out to a broad horizon for us. He took a most active part in the important changes which were made in the Literary Department between 1875 and 1880. He was an earnest advocate of the plan adopted in 1874 of conferring Master's degrees only on examination, and also of the rule allowing candidates for Bachelor's degrees to concentrate their work in the latter part of their course on some three branches of study. He favored warmly the introduction of the elective system into the courses of study under the limitations which are now in force. He was chiefly instrumental in persuading the Regents to appoint a Professor of Music who should give instruction in the history and theory of music, and in inducing the citizens of Ann Arbor to establish a school for vocal and instrumental practice. Indeed, during all the years of his residence here he was ever active in stimulating both in the city and in the University the study of music.

He was a stanch advocate of the policy of preserving the unity and integrity of the University by retaining all its Departments here. Whenever the proposal was made, as it was repeatedly made during his term of service, to transfer a part of our work elsewhere, he most earnestly opposed it. He believed profoundly that in the concentration of all our forces here lay our hope of giving the greatest efficiency to each Department and to the

University as a whole. He always had an unbounded faith in the future of this Institution. In days of trial, of disappointments, of unjust criticism of the University, when others were discouraged and despondent, although such misfortune caused his sensitive nature keen suffering, he was always full of hope that the clouds would soon give way to sunshine. He was sure that the University had gained such headway that no obstacles could much impede its progress. He believed that it was so deeply intrenched in the affection of the citizens of Michigan that they would not suffer it to be seriously embarrassed. How often have I heard him in years past say that there was no reason why we should not have two thousand students, and express his strong desire to live to see such an attendance. He was spared to see that desire gratified, and repeatedly during the early weeks of this University year he dwelt with delight upon the fulfilment of his prediction and the granting of his wish. Not that he ever confounded bigness with greatness, or desired the reputation of the University to rest upon the number of its students rather than upon the excellence of its work. He was ever devising means to improve our facilities for teaching and for elevating the character of our instruction. But he felt that with the advantages we could offer we deserved to have a large attendance, and that such a proof of success as the presence of large classes affords was a source of strength to the University.

His mind was extremely fertile in suggestions for developing the growth and increasing the usefulness of this Institution. He had observed keenly and studied carefully the colleges and universities of this country and of other countries, and had reflected much on the causes of their failures and successes. He was very apt in drawing lessons from their history. He seemed to be ever busy in seeking to apply those lessons to our conditions. In all these eighteen years of my intimate companionship with him here, in our long daily walks together, the burden of his conversation was that topic. To build up this University, that was "his meat and his drink," the dominant thought of his life, which seemed never to be absent from his mind. No one of the many faithful teachers under this roof ever gave himself with more supreme devotion, body and soul, to the interests of this school of learning. And no man since the days of that great leader, who gave to the University in so large degree its present form and spirit, Dr. Tappan, has furnished so many of the ideas which have shaped and enriched its life as Dr. Frieze. Into its life his very mind and heart have been builded.

Because his knowledge of university problems was so large, and his judgment was regarded by his colleagues as so sound, he has always exerted a strong influence over the Literary Faculty and over the whole University Senate, and has inspired them with his own hopefulness concerning the future of the Institution and with his own broad views of

university education. It need hardly be said that with his generous conception of a university he cherished ideals which have not yet been realized. He looked forward with fervent desire and with strong hope to the establishment of a school of art as a part of our organization. With the collections of statuary which we have and of pictures which are to come to us, properly housed in a fitting structure specially prepared for them, he believed that we might well set up such a school. He also longed for the day when we might relegate to the preparatory schools or to colleges the work now done in the first year, and perhaps also that of the second year of the literary course, and organize a three years' course on the model of the German universities. If that plan should remain impracticable, as for the present it is, he favored the conferring of the Bachelor's degree at the end of three years of undergraduate work, so that students might also complete their professional studies before they were too far advanced in years. He advocated this plan in his Report as Acting President in 1881 in one of the ablest papers ever published on that subject. This brief rehearsal of some of his ideas on university policy may indicate how rich his mind was in pregnant suggestions and how fertile in the conception of generous and far-reaching plans. Few men in this country comprehended so thoroughly the problems which are now set before the American universities or saw so clearly how those problems should be solved.

I have thus rapidly sketched an outline of the career of Dr. Frieze and have shown, however imperfectly, the spirit in which he wrought through his long and beautiful life. The chief traits of his mind and character are familiar to us all.

His mind was one of great activity and marked quickness of apprehension. Possessed of a highly nervous temperament, he had a certain restlessness of body and mind. This did not betray him, as it does some, into disjointed and fragmentary work, or lead him to hasty and immature decisions, but rather revealed itself in an intellectual eagerness and alertness and celerity. In his best days his enthusiasm made this promptness and vivacity of mental action contagious and highly stimulating to his pupils.

In his reading, at least in his later years, he followed the old maxim of *multum, non multa.* He read a few masters thoroughly rather than many books superficially or even rapidly. But having in his early manhood obtained a reading knowledge of the French, German, Spanish, and Italian, as well as of the ancient classical languages, and having strong literary and æsthetic tastes, his studies in literature and in the history of art, and especially of music, had taken a pretty wide range. In any society of literary scholars or artists his well-stored mind was sure to contribute something of value and of interest to the conversation. He left upon them as upon his pupils the deep impression that he was

a man of rare culture, of true literary instincts, of the finest mental texture, of rich and generous attainments. But his literary and æsthetic sense, his artistic feeling, the justness of his critical judgment were more conspicuous than his learning.

Perhaps no trait in his mental constitution was more marked than his love of the beautiful, whether in art or in nature. His soul was sensitive in the highest degree to any appeal which beauty made, whether through form or color or sound. Architecture, sculpture, painting, music, in all he delighted with the passion of an artist. His love of nature was like that of a poet. The grass, the flowers, the trees, the streams, he held sweet commerce with them all. Never was he happier than in his long rambles through the woods and fields. And how he loved *our* woods and fields. His strong local attachment to this place, which was always finding utterance in his conversation, gave him an enthusiasm about the scenery of this neighborhood on which his friends occasionally rallied him. But for miles around he could guide you to every "coigne of vantage," every shady nook, every meadow carpeted with the finest turf, every graceful sweep in the stream. With what ardor he would in your walk with him arrest your steps again and again, to dilate upon the charms of the bit of landscape before you. With what zest and pride he would exclaim, as from some hilltop he caught the view of the spires and towers of the city, "it is really finer than the view

of Oxford hanging on my wall." His love for the town and the University, and his delight in the pleasing scenery about us, made him often speak with gratitude of the kindly Providence which had cast his lot in what he regarded as an ideal home.

Dr. Frieze's character was marked by an unusual combination of great modesty — I might perhaps say diffidence, or even shyness — with real courage. His modesty sometimes impressed those who did not know him well as timidity. He had a very humble estimate of his abilities and attainments. This diffidence caused him much anxiety in the earlier years of his work as a teacher. Even in these later years the visit of strangers to his class made him uncomfortable. He used to ask me not to bring visitors to his lecture room. When he had some important suggestion to make to the Faculty concerning University affairs, he often persuaded some one else to present it. Only when he was convinced that it was really necessary, often not until he was pressed by his colleagues for his opinion, would he speak in the Faculty meetings. He was ready enough to express his views on any subject in private conversation, but had the most unusual reluctance to present them formally and in public. But in the Faculty the respect for his opinion was such that when it was made known, whether through the lips of others or by himself, it carried great weight. Yet, notwithstanding his great modesty, when it became necessary to act and courage was

needed for the act, he was never found flinching from duty. He disliked controversy, avoided it when possible, and often averted it by his conciliatory spirit. But in great crises in the history of this Institution, though he was never clamorous in debate, he stood at his post firm as a rock for what he deemed wise and right, whether the issue was with insubordinate students or with external foes of the University.

He was eminently social. He was fond of the society of friends with tastes congenial to his own, and was one of the most charming of companions and truest of friends. He loved good cheer. His conversation was vivacious and sparkling. His bearing was refined and attractive. Utterly free from all censoriousness, never indulging in acrid criticisms of others, his affectionate, generous nature won all hearts and imparted to them the same genial spirit which ever dwelt in him. He was a most welcome guest in every household. He carried sunshine into every company. His tender, sympathetic, loving nature gave a depth and richness to his more intimate friendship which only those who enjoyed it can measure.

The religious life of Dr. Frieze was simple, sincere, and beautiful. Warmly attached to his own branch of the church, he had the most catholic and fraternal feeling for every other branch. One of the most interesting papers he ever wrote was a plea for the true Christian union of all believers, which he pre-

pared about a year ago for the Students' Christian Association. His faith was singularly childlike. To him religion was not something formal, not something "to be worn on the sleeve," or obtrusively talked about in the market place, but the cheerful, trustful, reverent spirit of the Christian disciple, moulding and inspiring the whole life, in its pleasures as in its sorrows, in its daily routine of toil as in the hours of worship in the church. The vexed questions of philosophical, scientific, and theological speculation did not disturb the serenity of his soul. He understood their import. He appreciated and lamented the embarrassments of those who were troubled by them. But the foundations of his spiritual life, laid deep in a loving trust of his Heavenly Father and in the joyful following of the Lord Jesus Christ, were never shaken by the storms of discussion, which in this age beat upon every thoughtful mind. A soul more naturally and cheerfully devout than his, one that in all moods and all experiences was more completely transfused with the spirit of love to God and love to man, one of whom we may more truly say,

"Whose Faith and work were bells of full accord"

I have never known.

And so death had no terrors for him. He often spoke of it to me as one speaks of a coming journey. At the beginning of each of the last two or three winters he has deemed it not improbable that bron-

chial or pulmonary complications might prove fatal to him. His chief anxiety seemed to be not about himself, but about his family, and about his department of work in the University. After the death of his dear friend and associate, Professor Elisha Jones, to whom he had hoped to leave the care of the instruction in Latin, he was extremely anxious that a successor in sympathy with his views of the conduct of the Latin work should be found and appointed. After his wish had been gratified and plans for the conduct of his department had been matured, and especially when the University year opened so prosperously, he was extremely happy. Again and again in his long walks with me in the early autumn he spoke of the gracious Providence which had during his life cast for him the lines in so pleasant places; of the charming memories of his college days, of his and my old-time friends in Rhode Island, of his pride in many of his former pupils, and especially in those who had become his colleagues in the Faculty, of the early struggles of the University, and of his confident hope of its future prosperity. Some months ago, after much urging on my part, I obtained from him a partial promise to make a sketch of his life, a promise which unhappily he did not live to fulfil.

He began the labors of the year in good spirits and, as we thought, with a measure of strength which might at least carry him through the winter. We now know that the insidious and fatal disease which

caused his death was even then sapping the foundations of his life. He soon took a grave view of his malady. His mind became clouded at times. But it was pathetic — may we not say characteristic — that his spirit of love and tenderness seemed to shape his visions even in the wanderings of his mind. His attending physician has told us the touching story how, in those half-conscious hours of his last illness, he recited with apparent delight the names of associates — dear as pupils and colleagues and friends — and expressed his gratitude that they had so cheered his life. Pure and loving heart! not one of us ever gave to thee a tithe of what thou gavest to us.

And now after all that I have said, after all that any one could say, I feel and you feel how far short my words have come, or any words can come, of making a complete portraiture of our friend. There was something in his winning personality that eluded analysis. There was in him a certain charm of soul which cannot be fully depicted with such an instrument as human speech. But memory will preserve for us the sweet recollections of the winsomeness of that personality, of the attractiveness of that spirit. And so for years to come his radiant presence will not be altogether lost to us. And so long as this University shall stand, something, we may hope, of the benign influence of this refined, devoted, noble scholar and teacher will remain as a factor in its life.

VII

THE INFLUENCE OF THE LAWYER OUTSIDE OF HIS PROFESSION

FEBRUARY 22, 1911

AN ADDRESS TO THE LAW STUDENTS

VII

THE INFLUENCE OF THE LAWYER OUTSIDE OF HIS PROFESSION

EVERY professional man has from his special professional training his peculiar weakness and his peculiar power in spheres outside of his profession. His weakness springs from the one-sidedness or limitations of his knowledge and culture. His power flows from the fulness of his knowledge and richness of culture in his chosen study. For, since no field of thought is wholly isolated from every other, the power which is gained in his special pursuit may, and does, make itself felt beyond the boundaries of his profession. Almost every man betrays something of this weakness the moment he undertakes to pursue investigations which are in their essential nature very far removed from those which his daily calling demands. How difficult it is, for instance, for the physicists and the metaphysicians, or for many of the naturalists and the theologians, I will not say to agree, but simply to understand each other, to be just and fair to each other. They are accustomed to work with different tools, to employ different tests, to reach results by different processes, and yet it is not easy to convince them that they must exchange tools and tests and processes if they exchange works. If they do attempt

to exchange their instruments, they often need the caution which is given to children who handle edged tools. The old maxim, *ne sutor ultra crepidam*, in its homely way recognizes the truth we have in mind. Full orbed, perfectly balanced, universal culture seems to be out of the reach of the greatest. Well for us if the striving for it does not land us in the distractions of poor Faust. Even the "many sided" Goethe, who with his rare genius sought for it through his long life, failed at last to get such an insight into religious truth as is possessed by many a humble man. There are, I doubt not, questions in law which a surgeon like Nélaton or Mayo, or a naturalist like Darwin or Huxley, would solve less promptly and justly than many a comparatively obscure attorney, even if the statutes and precedents bearing on the cases were made known to them, simply because the method, the spirit of legal procedure are entirely strange to them.

Now it is hardly possible that the training and experience of a lawyer should not have some analogous perils. I do not feel prepared to specify them. Perhaps they are different for different men. Mr. Burke has told us that the practice of the law by itself is not apt, except in persons very happily born, to open and liberalize the mind exactly in the same proportion as it invigorates the understanding; and that eminent jurist, Judge Story, intimates that one who has given his exclusive attention to the study of his profession may be lacking in an

enlarged view of duty which wider range of studies would furnish, and that from this lack the profession has sometimes been subjected to unpleasant reproaches. I have heard eminent lawyers complain of a tendency in some of their brethren to underrate the moral worth and honesty of men. Continually dealing with litigants who are not in the happiest frame of mind nor in the most favorable circumstances for the display of the lovelier virtues, they have told me lawyers are in danger of acquiring the habit of forming judgments of men which, if generally applied, are misleading and false. I think, too, I have seen lawyers who, by dint of years of hair-splitting, had acquired such a habit of quibbling on technicalities that their practical judgments in ordinary affairs commanded little respect and their tempers little approbation. At any rate we have all seen lawyers, as well as men of other professions, so imprisoned by the laws of their own vocation that they could see no beauty or truth save from the professional point of view. We have all heard of the mathematician who did not think much of "Paradise Lost" because it proved nothing. So eminent a man as Lord Coke, it is said, valued Chaucer above other poets, merely because the Yemannes Tale is a sort of poetical leading case, illustrating statute 5, Henry IV, chap. 4, against alchemy. Mr. Emerson wisely says "truth is an element of life, yet if a man fasten his attention on a single aspect of truth and apply himself to that

alone for a long time, the truth becomes distorted and is itself but falsehood."

It is therefore well for the lawyer, like the rest of us, to be on his guard against this one-sidedness or limitation of training. If he would see clearly that large part of the world which lies beyond his profession, or if he would touch men elsewhere than on their legal side, he must strive after that variety of training which tends to completeness or integrity of the mental and moral nature. Do you ask how can he do this? I know of no way save by making such excursions as he can into all fields of thought. It is possible by economy of time for almost anyone to learn the leading facts of some of the principal sciences and their "organons," their methods of reaching truth. One can at least learn enough to be tolerant of other tests of truth than those applied in one's own profession by seeking free conversation with competent men of other professions. Indeed, the highest view of your professional work would almost compel you to this search into all sciences, if we may follow that great master, Brougham, in believing that "jurisprudence pushes its roots into all the grounds of human science and spreads its branches over every object that concerns mankind." Or, if we follow one of our greatest American lawyers, we may hold that "in its widest extent, it may be said to compass almost every human action, and in its minute details to measure every human duty." Some may be stimulated to seek a corrective culture

in the study of natural science, as they remember how Lord Bacon's famous Ordinances continue to be the pole star which directs the practice of our Chancery Courts, as one of our renowned jurists has said, while, as every one knows, his Novum Organum is the pole star which has directed all scientific investigation from his day to ours.

Our English literature, with its many voiced wisdom, breathing the spirit of every variety of mind, is within the easy reach of all. And, therefore, would I recommend the study of literature, and especially of our own, above all other studies as the best help in securing balance and richness and fulness of development. How has one of our great lawyers, who illustrated as few have the possibility of combining large literary attainments with the most brilliant professional success, depicted the power of literature even to save the reason of the over-tasked advocate. In his Address at the dedication of the Peabody Institute, Rufus Choate pictures the tired lawyer coming home, his temples throbbing, his nerves shattered, from a trial of a week, miserable, disappointed, wellnigh inconsolable.

"With a superhuman effort he opens his book and in the twinkling of an eye he is looking into the full 'orb of Homeric or Miltonic song,' or he stands in the crowd, breathless, yet swayed as forests or the sea by winds, hearing and to judge the Pleadings for the Crown; or the philosophy which soothed Cicero and Boethius in their afflictions, in

exile, prison, and the contemplation of death, breathes over his petty cares like the sweet south; or Pope or Horace laughs him into good humor; or he walks with Æneas and the Sibyl in the mild light of the world of the laurelled dead; and the court house is as completely forgotten as the dreams of a pre-Adamite life. Well may he prize that endeared charm, so effectual and safe, without which the brain had long ago been chilled by paralysis or set on fire by insanity."

I know it has sometimes been thought that fame as a literary scholar detracts from a lawyer's reputation, if not from his worth. But when we recall the elegant scholarship of our Wirts and Pinkneys and Legarés, when we remember that our greatest juridical light, John Marshall, found his solace and refreshment in the meritorious novels and poems of our literature, even wooed the muses himself; that Lord Stowell, the great master of Admiralty Law, and Blackstone, the Commentator, were possessed of the most generous literary culture; that Lord Mansfield, who may, I suppose, almost be called the originator of our modern Commercial Law, was not only a brilliant scholar, but moreover was so endowed with poetical gifts that Pope in his graceful line,

"How sweet an Ovid in a Murray lost,"

regrets that the muses had been obliged to give him up to the law; that the great French Chancellor D'Aguesseau was only less accomplished in general

letters than in the Civil and the Canon Law, was so familiar with the classics that at the age of eighty he was wont to correct from memory the misquotations of learned scholars from the Greek and Latin poets; that the great work of Grotius, "De Jure Belli ac Pacis," which has had a greater influence upon the fortunes of the race than any book that has been written in the last three centuries, is crowded with learning which its gifted author had drawn from all history and literature, we may well believe that it is possible for a great lawyer to be a master of letters and to draw from them comfort and inspiration and power.

But the lawyer has also a power outside of his profession because of his training as a lawyer. The effects of this power are most clearly seen in public affairs. I do not now refer to the labors of lawyers who have formally entered upon the career of politicians or statesmen, but only to the influence which as private citizens they are able to exert in shaping public opinion and public action. That power acts sometimes aggressively, sometimes in a conservative manner. More than once it has underlain great popular movements, — revolutions even. Every student of history knows that when the Gentlemen of the Robe in France became a constituent part of the burgher class the weight of their influence, the power of their ideas, worked a change in the condition of that class which might be called a revolution. It became a power in the

realm, and that not merely because the king in his struggles with the Pope was obliged to call lawyers into his council, but because of the dissemination by the lawyers throughout the burgher class of ideas of justice and right which their studies taught them. The stubborn resistance of that famous court, the Parliament of Paris, to the encroachments of the Pope on Gallican liberties, and often to the tyranny of kings from the time of Louis XI down through the Orleans regency to the Revolution of '89, which it so hastened by demanding the meeting of the States General, was of incalculable influence in saving France from utter submission to civil and ecclesiastical tyranny. For it not only placed legal obstacles in the path of popes and kings, but also fired the hearts of the people to a new zeal for their rights. A renowned English historian has wisely said that, fertile as France is in great men, she might better spare from her annals any class of them than her lawyers.

How English lawyers from old Bracton down to Brougham have as lawyers and judges helped fight the battle of English liberty is familiar to all. My Lord Coke's imperishable answer to James I in the famous case of the Commendams that "when occasion came he should do what would become a judge," has been in practice said on the bench a thousand times over in the great struggle between privilege and prerogative, and every such reply to the demands of arrogant authority was later a

trumpet appeal to the people, stirring their hearts to withstand all encroachments of power. It was with an unerring instinct that Laud and Strafford strove to put down the common lawyers as one of the first steps in their tyrannical schemes. "I disdain," writes Strafford, "to see the gownsmen in this sort hang their noses over the flowers of the crown." Yes, but there they did hang their noses till the last of those flowers, which Strafford so prized, withered and perished on the scaffold at Whitehall.

Who can measure the force of the impulse which James Otis, the Adamses, Patrick Henry, Charles Pinkney, and the other lawyers of their time lent to our revolutionary movement, simply because as lawyers they were able to draw so sharply the line beyond which every step of the mother country was defiant of the very spirit of English law, as well as of liberty. The maxims of that law, whose pride it was to be the jealous guardian and protector of the liberty of the subject, had become inwrought into their very being, and wherever they were — in the church, in court, in the street, in town meeting — they were, day and night, bracing up their neighbors and friends to resist the unlawful aggressions of the king. The people hung upon the lips of these expounders of the laws of the realm and of the eternal principles of right and, inspired to heroic endeavor, marched forth to the conflict and to victory. We specially commemorate to-day the birthday of Wash-

ington, but we may well remember that it was the great lawyers of his day who framed the issue for which the soldier fought and, later, shaped the immortal constitution under which Washington administered our government with such wisdom, and under which our national greatness has been achieved.

But while lawyers, as lawyers, have thus enabled men to see what just laws entitle them to claim, and have so led the very van of revolutions, they do also, by virtue of their training and work, exert a salutary conservative power on society. If they encourage men to claim what just laws entitle them to, they do also discourage enterprises, whether private or public, which are hostile to the spirit of law and justice. All their habits of mind must tend in that direction. They are accustomed to bow to the decisions of courts. A wise writer has said "the nervous language of the Common Law, the impressive forms of our courts, and the precision and substantial truth of the legal distinctions are the contribution of all the sharp-sighted, strong-minded men who have lived in the countries where these laws govern." It is not strange that the profession should reverence the wisdom and sacredness of law. They attach weight to venerable precedents. They are compelled to view both sides of questions. They are constantly warned against hasty conclusions. They have a lofty ideal of the functions of the state. A certain steadiness and sobriety of mind, a sort of judicial

habit of deliberation, a desire to see good reasons for change in any of our usages or institutions, before advocating such a change, all these qualities seem to me to justify the splendid eulogium which one of our great lawyers has pronounced upon the Bar for its conservative force.

I believe that what may be termed these extra-professional services of the lawyers in demanding for liberty all that just law can give her and in restraining public opinion from wild excursions into the domain of lawlessness are not appreciated as they deserve. Perhaps it is also true that the profession do not always realize their accountability for the wise use of this power which comes to them by virtue of their calling. At any rate I wish to commend with emphasis the cultivation of this conservative spirit, when so many unwise governmental fads, including a popular recall of judges, are afloat in the air.

But not only do lawyers while strictly adhering to their special work exert a peculiar influence upon society, but many of them wield a much greater power over the public by their labors in a profession, if I may so call it, which is closely allied to their own. Just as the clergy find themselves almost necessarily concerned with the direction of education, and many of them naturally come to fill chairs of instruction in our schools and colleges, so the study and work of a lawyer open the door to the career of a legislator and statesman. The profession is entered upon by not a few simply because it seems

to furnish the best stepping stone to public life. But many a worthy lawyer who has no undue itching for political preferment finds himself at times almost constrained to exchange his professional work for less remunerative toil in the chambers of legislation. Doubtless many are pretty easily constrained, and some give notice in advance that they are willing to be persuaded. But in spite of the frequent complaints of the undue representation of the legal profession in our legislative bodies, the history of our legislation shows that there is no superfluity of technical skill in framing our statutes. That is an unusually wise and careful Legislature in any State which does not by its tinkering and blundering at any session furnish pretty steady work for the judges until the next session in correcting its mistakes. It has been urged in some parts of the country as a strong argument for preferring biennial to annual sessions that they furnish only half as many mistakes to correct.

It is foreign to my present purpose to attempt to say just when a lawyer may wisely suspend his professional work to enter upon public office. Looking at facts as they are, I find that a large number of lawyers have chosen, and do still choose, and as I believe to the great advantage of the public, to essay the work of legislators and statesmen. I cannot err in assuming that the usual proportion of your number will pursue the same course. And therefore I say it is your duty to have regard to this fact in shaping

your studies. I think that in your plans of work you should contemplate the largest possible attainments in those departments of learning which every statesman should strive to master. And those departments lie so closely upon the border land of the law — some of them being indeed largely within its territory — that a considerable acquaintance with them is essential to a broad and generous legal culture. Their inviting fields are so constantly within the range of your vision, as you pursue your strictly professional studies, that I hardly know how you can resist the temptation to make some excursions into them and to bring back some grapes from Eschol to refresh you in the routine of your daily work. Still we do see many painful proofs that dry, hard, narrow minds may pursue your vocation as a trade and be content with a pettifogger's success, or if they enter upon political life may aspire to no higher achievement than the skilful manipulation of caucuses and the appropriation of partisan spoils. No broad views of juridical science or of any allied branch are desired or needed by them.

Believing, however, that you have loftier aspirations and juster conceptions of your opportunities, may I venture to suggest to those who would be prepared for public service certain studies which may claim some of your attention in those early years of your practice when crowding clients and "flowing fees" may not too much disturb the tranquillity of your office?

I would mention, first, History. I know that there have been men high in office who knew little history and less geography. We have all read how the Duke of Newcastle hurried to his sovereign, George the Third, in the days of colonial troubles, with the announcement as of something new, — that Cape Breton was an island, — and the news was a surprise both to the king and half the cabinet. We are told that Castlereagh gave up the Island of Java to the Dutch in the treaty of Vienna because he could not find it on the map. But no one could have read Blackstone's and Kent's Commentaries without seeing how large a harvest the study of the history of England and of our own country must yield to the student of law and how indispensable it is to all who undertake conspicuous work in legislation. I need not delay on this obvious truth, I would merely make two simple suggestions: first, that, in my opinion, we have far more of practical value to us to learn in the Plantagenet period of English history and in the continental history from the thirteenth to the sixteenth century than is generally supposed, and secondly, that we should look beneath the mere facts of history to the underlying principles. What you call somewhat contemptuously, I believe, a case lawyer, finds the exact counterpart in what may be named the fact historian. What you want of history is to find the principles which have determined the growth of States, the protection of liberty, the defence of right. If you do not get this out of

your history, your knowledge of the succession of kings and empires is of no more worth than Homer's catalogue of the Grecian ships, or the advertisement of an auction sale upon the fence post at the next corner.

Then the science of Political Economy should receive much more thorough and extended study than is given to it by most of our legislators. This is true, even if we regard it, as most English and American writers do, merely as the science of wealth. If there are any laws which govern the production, exchange, and distribution of wealth, if there are any sound principles of right or even expediency which should regulate our currency, our banking, the relations of capital and labor, our systems of taxation, our domestic and our foreign trade, it is of the utmost consequence to us and to yourselves that you, who are to do so much to shape our public policy, should be familiar with those laws and those principles. If the large experience of other nations has any lessons of wisdom for legislators, you should know those lessons. But I believe that the time has come when our statesmen should expand their conception of what is commonly termed political economy till it comprises something more than the laws of wealth, till it becomes in a high and just sense of the term social science. Many of the continental writers have taken broader and more correct views of the real scope of the science than the English. They study in it not only all those forces which

directly result in the acquisition of wealth, but also charities, education, religious, penal and reformatory institutions, public utilities, corporations, trusts, social theories, all the forces which essentially shape and color the life of the state and of society. Not that we should imitate those monarchical governments which undertake to control the whole development of individual and national life in matters temporal and spiritual by statutory and police intervention. But a statesman who is called to legislate can wisely determine the proper limits of legislation only by a profound knowledge of the true function and possible power of all the forces which can effect a national life. Half the secret of legislative wisdom consists of finding out what it is not necessary to do. And he is the best guarded against inflicting on us the evil of over-much legislation and the evil of unwise or useless legislation who can see exactly what can be done by other forces than those of statutes and officers of the law. It is the science of society in this large sense which I desire to commend.

Another study to which every lawyer who is looking to public life should give some attention is that of International Law. Indeed, it might well be commended to every one for its fascination and for its tendency to broaden and enrich the mind. Ninety years ago Judge Story, in addressing the Suffolk Bar, said "there is nothing that can give so high a finish or so brilliant an ornament or so exten-

sive an instruction as this pursuit to a professional education." It involves in its discussion so many of the fundamental principles of historical, of ethical, and of legal science, it is concerned with issues of such transcendent consequence, it so cheers the heart which rejoices to read the bright proofs of the moral progress of the race in the increasing humaneness of its code, it so compels even desolating wars to write with the pens of fire new articles of justice and mercy and Christian forbearance on the great statute book of nations, and although the science can be fairly called only two centuries and a half old, it has been expounded and illustrated by the genius of so many of the ablest publicists and statesmen of Europe and America that rather than urge you to pursue it, I ought perhaps to caution you, if you once begin it, against letting its charms divert you too much from your regular work. I am not now addressing you as lawyers, who may be called to practise in admiralty courts, but as men who in public stations, perhaps charged as members of Congress with the responsibility of deciding whether we have just cause of war with some great nation, possibly as senators with the power of aiding in making treaties, at any rate as members of a profession whose influence on questions of international law must have vast weight in moulding the public sentiment in critical hours, and I say that it seems in the highest degree desirable both for your own reputation and for the public welfare that you

should master at least the leading principles of this beautiful branch of juridical science.

There remains yet one other subject to which I would turn the eyes of those who would train themselves for large service in public life; that is Political Philosophy. I think I do not attach undue importance to theories of government. I do not forget the famous remark of a great statesman that "a young man who is not an enthusiast in matters of government must possess low and grovelling principles of action and that an old man who is an enthusiast must have lived to little purpose." But, after all, it is of real service to us to-day to know what Aristotle and Cicero and Locke and Burke and Hamilton have thought upon great political problems. With all the fluctuations of human life, with all the changes which centuries bring in the condition of men, the constant, the unchanging is a larger element than the variable. And many of the words of those great masters might well be inscribed on our legislative halls to-day for our guidance. For many of the problems which were discussed on the bema and on the rostrum were essentially those which are under discussion to-day in Westminster or in Washington. Not to speak of Plato's ideal republic, though Mr. Jowett in his charming introduction to his beautiful translation has taught us not to scorn the practical lessons which it may teach us to-day, no man can afford to be ignorant of Aristotle's treatise on Politics, the most profound work which the ancient world

gave us on that subject, if indeed it is not the most profound the world has ever seen, and yet it may be read between sun and sun. It is not much longer than the speech of a Congressman,—by no means so extensive as Sir John Coleridge's plea in the Tichborne case, which is said to have been twenty-three days long and six hours wide. Object as you must to his views of slavery, yet delight to refresh your spirit by communing with the philosopher who first perceived those two great truths: first, that the social state is the natural state, in other words, that man is a political animal, and second, that political liberty is the true foundation of the prosperity of the state. Starting from him, we may come down through the centuries and mark the gradual development of those political ideas which we accept as axioms, but which were evolved by severest thought and maintained in blood. See how the Stoical philosophers rose to the conception of the human race as one great city or society and prepared the way for the Roman lawyers to assert the equality of all men before the great law of nature in that famous phrase, *omnes homines natura acquales sunt*, which Jefferson wrested from the old Roman code and clothed with a new and more glorious meaning and bound on the brow of new-born American liberty to shine there forever as a star and a light to the oppressed of all nations. See then Christianity appearing and declaring the brotherhood of men and aiming to establish the City of God among men. See spring up in Christian

society the two great parties who so long contended for the mastery, the one striving to subject the state to the church in accordance with that theocratic doctrine of political philosophy which that gifted and acute schoolman, Thomas Aquinas, has expounded with such marvellous ability; the other, the laic party, contending for the independence of the state from ecclesiastical control through the mouth of that great polemic of the thirteenth century, William of Ockham, who wields the dialectic weapons of the mediæval logic with resistless power and is crowned with victory. Listen to the words of the great Italian, Machiavelli, who if he leaves us in doubt concerning his true character, leaves us in no doubt concerning his deep insight into the gravest problems of politics. It may not be without profit even to us, citizens of a republic, to hear what Hobbes of England and Bossuet in France can say in defence of absolutism, the one basing it on the wild fiction of the irrevocable cession of rights by the people to the sovereign, and giving that sovereign unlimited power; the other basing it on the will of God and holding the sovereign responsible to divine law for his use of authority. It is well for us to thrill our hearts and stir our blood by hearing Sidney and Milton and Locke in their great pleas for human freedom. With these fresh in our memory do we not still celebrate the seventeenth century as the era when liberty first spoke with articulate voice those inspiring words which have ever since been

sounding in the ears of tyrants and summoning them to judgment? Or, crossing the channel, have we, with our mixed and balanced government, nothing to learn from that calm and profound French investigator, Montesquieu, who, though believing in the usefulness of a hereditary nobility, was animated by a love for national liberty, and has proved by his careful study of governmental systems that the separation and distribution of the powers of government are essential conditions of liberty? Shall we not also hear Rousseau with his matchless eloquence expounding his doctrine of the social compact? Fiction though it is, it is so splendid a fiction that it is almost better than truth. For, like so many legal fictions, it has proved of immense historical significance and has helped almost more than anything else to carry the race up to the general acceptance of that great doctrine of human equality which lies at the base of our system of government, which overturned the monarchy in France, and which is rapidly leavening the whole civilized world.

The statesman of to-day cannot afford to begin his study of political principles with the platform of his party or even with the Constitution of the United States. As well might the lawyer content himself with reading the latest digest of the statutes of his State. No, he needs to go back to the fountains, whence these streams of political ideas and principles flowed, to study them in all their course and see what thriving villages and populous cities

and happy homes have sprung up on the banks before he can comprehend their true spirit and power. Our greatest statesmen have not spurned such study. See on almost every page of the Federalist, perhaps the most valuable contribution this nation has made to political literature, the proofs of the familiarity of the writers with the best political thinking of ancient and modern days. Mr. Webster, who I suppose most of us will now agree combined more successfully than almost any other American the intellectual gifts and attainments of a great lawyer and a great statesman, was not better read in the text-books of law than in those of politics. Mr. Choate tells us that Mr. Webster had read and weighed Aristotle, Cicero, Machiavelli, Harrington, Milton, Locke — that in fact nothing in politics worthy of attention had escaped him; nothing of the ancient or modern jurisprudence; nothing which Greek or Roman or European speculation in that walk had explored, or Greek or Roman or European or universal history or public biography had exemplified.

I cannot err in asking you to follow such illustrious examples in thoroughly furnishing your minds for public life by the pursuit of these generous studies. But if you never try the discomforts of official station, such studies will not be without their high uses. May I venture to suggest by way of caution that those of you who enter upon public life be careful not to forget when at the Bar your legal habits

and methods. I suppose a careful analysis would show that the habits of mind which practice at the Bar cultivates differ somewhat from those which are fostered by service in the halls of legislation and on the husting or the stump. So true is this that it is somewhat rare to find a man who stands indisputably first in both spheres of action. Am I wrong in supposing that while the work of the lawyer is by no means unfriendly to depth and grasp of mind, it does tend to cultivate precision, acuteness, a strictly logical power, and a respect for precedents more than the career of a Congressman or a Commoner, while the life of the latter may perhaps more directly tend to give largeness of view, to develop the talent of popular address, but also to temper the remorselessness of logic by a rhetorical or political compromise. Whatever the difference may consist in, there certainly is one, and it behooves you to beware of the fact. In whichever arena you do battle, use the weapons, and only those, which belong to that arena. And be not impatient to exchange those which you wield triumphantly in the halls of justice for those which are used in the senate house. Success, fairly won in the former, is not less honorable, perhaps not less useful, than in the latter. I hope that no words of mine may be taken as advice to you generally to seek any other employment than the legitimate work of your profession. The worthy ambition of any one of you might justly be satisfied with the attainment of a respectable position in

the profession of which Sir James Mackintosh says, "it furnishes the most honorable occupation of the understanding," and with your admission to a becoming place in that brotherhood which has been rendered illustrious by its Marshalls and Mansfields and Hales and L'Hôpitals and so many of the wisest and noblest and most gifted of men. Glory enough might it be for most of you to be able to say at the end of your career that you have brought no stain upon the escutcheon of the illustrious fraternity who will soon open wide their gates to welcome you to their goodly fellowship.

I cannot but appeal to your pride in looking forward to a profession whose highest tribunal is in the exercise of its constitutional powers just now wielding so mighty and beneficent an influence towards the establishment of a permanent international court, whose peaceful procedure shall take the place of war in settling international controversies. Our nation has played a large part in providing through The Hague conferences for arbitral tribunals and for setting the example to the world of resorting to them. As our Supreme Court in determining suits between sovereign states is the first and only court in the world to exercise such powers, the European statesmen, unaccustomed to such judicial authority and somewhat puzzled by our example, are yet listening to our appeals to them to join with us in establishing not merely arbitral tribunals on special occasions, but also permanent international tribunals,

composed of permanent judges rather than temporary arbiters to settle with authority the controversies of states, as our Supreme Court has long settled them between the States of our own nation. Our Secretary of State speaks hopefully of the negotiations he is now conducting on the subject. Our supreme national tribunal will, in case of success, be the prototype of the great tribunal of the world and the most powerful conservator of peace.

In conclusion, may I say that if any one of you is ambitious to exert a beneficent influence outside of your profession for which the world is so indebted to your brethren, you must be, and every one can be, something more than a human digest of statutes or a walking volume of reports. Serve your profession as though she were your bride, giving her your affection, your talent, and your zeal, even though she be a jealous bride. But remember, the larger and the richer is your general culture, the more complete and balanced is your intellectual and moral development, the more a rich and generous manhood overlaps and enfolds and transfuses and inspires your profession, the broader and deeper and more enduring will be your influence as a lawyer, a citizen, a statesman, and a man.

VIII

THE INADEQUATE RECOGNITION OF DIPLOMATISTS BY HISTORIANS

JULY 11, 1893

INAUGURAL ADDRESS AS PRESIDENT OF THE AMERICAN HISTORICAL ASSOCIATION DELIVERED AT CHICAGO

VIII

THE INADEQUATE RECOGNITION OF DIPLOMATISTS BY HISTORIANS

THE scholars of our time have often congratulated themselves that historical writers have in these later years been giving a wider scope to their work than the older historians gave to theirs. These later writers, in describing the history of a nation, have not confined themselves to the records of battles and of court intrigues and of royal genealogies. They have deemed it proper to give us some idea of the progress of the nation in letters, in art, in science, in economic development, in religion, in all that makes up what we call civilization. They have attempted to give us a vivid and accurate conception of the forces and the processes which have made nations what they are. And they have had in mind the true ideal of the historian's task.

But in the course of my studies I have been led to the conviction that most of the general historical narratives have failed to set forth with sufficient fulness the important features of great diplomatic transactions, and have failed even more signally in specific recognition of the signal merits of many of the gifted negotiators of epoch-making treaties.

The work of international congresses, which have

remade the map of Europe or the maps of other continents, which have extinguished the life of proud and ancient states or have created new states, which have given larger freedom to commerce and wider liberty in the use of the high seas, which have mitigated the cruelties of war and have swept the slave trade from the ocean; this work, so wide and far-reaching in its influence, of the diplomatic representatives of powerful states has been often passed over altogether by historians of renown or dismissed with the most succinct summary which was possible. Even where the results of negotiations are given it is rare that one finds any fairly complete account of the processes by which these results were reached. May we not fairly ask whether to the reader of ordinary intelligence the important details of the discussions and deliberations in the congress at Münster are not of as much consequence as the details of any battle of the Thirty Years' War? Are not the particulars of the debates between Franklin and Jay and John Adams on the one side, and Oswald and Strachey and Fitzherbert on the other, in framing our Treaty of Independence, of as much interest and consequence as the details of the battle of Trenton?

But even when the results of negotiations are given with some fulness and estimated with justice, for the most part little or none of the credit which is due is given to the men who have brought the negotiations to a successful issue. Generally not

even their names are mentioned. The consequence is that no class of public servants of equal merit is so inadequately appreciated even by those who are pretty well read in history. Our very school children are so taught that the names of great generals, Wallenstein and Tilly, Marlborough and Prince Eugene, Turenne and Condé, Washington and Greene, are familiar to them. But if you will try a simple experiment, as I have done several times, upon persons of cultivation, I venture the guess that you will find that scholars of considerable familiarity with European history cannot tell and cannot say that they have ever known who were the principal negotiators of the Peace of Westphalia, or of treaties of such historical importance as those of Nimeguen, Ryswick, Utrecht, or Paris of 1763, or Paris of 1856. And the reason is not far to seek. It is because most of the general histories of the periods to which those treaties belong have little or nothing to say of the envoys who, with much toil and discussion, wrought them out. To learn the names of those neglected men, and especially to learn anything of their personality, one must have recourse to special diplomatic histories or personal memoirs, when such can be found.

If my impression of the treatment which important diplomatic work has received in most of our general histories is correct, I think we shall all agree that they are seriously deficient in this regard. If any events in European history for the last two centuries

and a half have been of vital importance, the negotiation of some of the treaties I have named must be ranked as such. When we recall how the Peace of Westphalia weakened the German Empire, strengthened France, adjusted the relations of the three great branches of the church in Germany, and practically established the modern state system of Europe; or how the Treaty of Utrecht permanently separated the crowns of France and Spain, added to England's possessions Newfoundland, Hudson Bay, Acadia, St. Kitts, Gibraltar, and Minorca, and fixed the Hanoverian succession, enlarged the power of Savoy, and recognized the King of Prussia; how the Treaty of Paris of 1763 gave Canada and the Floridas and the navigation of the Mississippi to England, and how the Treaty of Paris of 1856 abolished privateering and established new guarantees to neutral trade upon all the seas, who shall say that the framing of these treaties and of others, hardly less important, does not deserve ample treatment, and that the talent and skill of the men who negotiated them does not deserve generous recognition in our more important general histories as well as in the special diplomatic histories?

The distinguished publicist, Pradier-Fodéré, has well said that a good minister is sometimes equal to an army of a hundred thousand men. Pyrrhus is credited with the remark that his envoy, Cyneas, had given him more cities than any of his generals. John Adams, who filled so many high offices with

honor, was apparently, and justly, prouder of his treaty with the Netherlands, which he procured in the face of wellnigh insuperable obstacles, than of almost any other achievement of his life. His no less distinguished son, John Quincy Adams, declared that he considered his signature of the so-called Florida Treaty with Spain in 1819 the most important event of his life.

It may be said in answer to my plea for the ampler recognition of the services of great diplomatists that they only register the results which the great soldiers have really secured, and therefore deserve less fame than the generals. To this two rejoinders can fairly be offered: first, while war may decide that one nation is to gather the larger part of the fruits of a negotiation with another, it does not decide the details of the settlement to be made. And in fixing these, in determining with large foresight the consequences of particular adjustments, in felicity of statement, in cogency of discussion, in knowledge of international law, in weight of personality, the representatives of the conquered nation may, and often do, win back much of what seemed to have been wrested away by the victorious sword of the antagonist. The skilful diplomatists of Louis XIV repeatedly enhanced the value of his victories and diminished the losses incurred by his defeats. The American victory at Yorktown determined the fact that we should somehow have our independence, but we owe it to our commissioners at Paris,

especially to Jay, rather than to the generals in command of our armies, that Great Britain was constrained to treat with us as an equal and independent nation, that we did not accept independence as a grant from the mother country, that our treaty was a treaty of partition and not of concession. The important results of that fact are familiar to us all. By no means is the work of the negotiator done by the military commander.

And, secondly, some of the most important negotiations are not the consequence of war, are not preceded by war. Rather they serve to prevent war. Take as an example the Treaty of Washington of 1871, popularly known as the Alabama Treaty. It was drawn to remove the dangerous causes of dissension between us and Great Britain. Few events in our national life have been of more consequence than the negotiation and execution of that treaty. It belongs to so recent a date that most of us remember distinctly the meeting of the high joint commissioners who framed it. Does any one now question the supreme importance of their work? And yet how few even of the well-informed citizens of Great Britain or of the United States can repeat the names, I will not say of all, but of the most prominent members of that commission. Do our school children find them given in any of the manuals of United States history which are placed in their hands?

It is then far from true that the value of the

services of diplomatists is wholly dependent on the deeds of the soldier. In some cases it is not true that they are at all determined by military achievements. There is no good reason why the historian should with emphasis dwell on the skill of generals and be silent concerning the genius and the work of great masters of the diplomatic art.

Let us now notice briefly what we do find in some of our histories concerning a few important treaties and the men who drew them. Take the great treaties negotiated at Münster and Osnabrück, to which as a whole the name of the Peace of Westphalia is generally given. All will agree that it is one of the most important events in the history of modern Europe. Of course no history of the great continental states in the seventeenth century can altogether omit reference to it. But if we turn to Dyer's Modern Europe, or Russell's Modern Europe, or Crowe's France, or among German works to Kohlrausch's History of Germany or to Menzel's, the subject is touched very lightly or not at all, and nothing can be learned from them about the negotiations. Coxe's House of Austria, which gives a good succinct summary of the treaties, is silent about the men who made them. One might suppose that Gindely's Thirty Years' War would at least have had a closing chapter on the treaties. But it has not a word, though the American translator has added a chapter in which some attention is given to the subject. And apparently the call upon the

author by readers, who were surprised at his omission, led him to publish a little supplemental brochure to supply it. Martin, the French historian, treats the subject, as he does other negotiations, with considerable fulness, and gives his readers an idea of who the negotiators were.

But if one would learn much of the details of the transactions or of the traits even of the leading negotiators, one must turn to such special histories as Bougeaut's Histoire des Guerres et des Négociations qui précédèrent le Traité de Westphalie and Le Clerc's Négociations Secrètes or Garden's Histoire des Traités de Paix. He could there find that France was represented by the Count d'Avaux, who had, on an embassy to Venice, settled a difficult question about Mantua, that he had secured a truce between Poland and Sweden, that he had negotiated a treaty at Hamburg, which prepared the way for the Peace of Westphalia, and that he was a man of large skill and experience; also by Servien, the Count de la Roche des Aubiers, who had been Secretary of State under Richelieu, had seen diplomatic service, and had by his brilliancy become a favorite of Mazarin, and finally by the renowned Duc de Longueville. He could see that Sweden had sent to the congress the son of the great Chancellor Oxenstiern, a man of large learning and capacity, and Salvius, who had won the favor of his Queen Christina. He would learn that the Empire had in Dr. Volmar and Count Trautsmandorf envoys

who were in ability and good sense peers of any in that great assembly, and that Venice was represented by Contarini, who had rendered conspicuous public services at the principal courts of Europe, and that the mediator sent by the Pope was Fabio Chigi, afterwards raised to the Holy See by the title of Alexander VII, and that he was one of the shrewdest and most experienced diplomatists present. Not to mention any of the one hundred and forty others whose names are given by Garden, surely these dominant men, who shaped the great settlement from which in an emphatic sense what we call modern Europe may be said to date its life, might well have their names recalled and their work recognized as theirs by any historian of the seventeenth century.

If we pause to notice the three principal treaties of the reign of Louis XIV, those of Nimeguen, Ryswick, and Utrecht, we shall find a very slight treatment of them in several histories of repute. From Dyer and Russell and Crowe the reader will learn little or nothing. Green's larger work on England has the briefest possible notice of these treaties. Even Philipson in his volume on the Age of Louis XIV, forming a part of Oncken's great Historical Series, while giving the results of the treaties, says hardly anything of the men who negotiated them. Martin gives some of the names, but not all, and does not dwell on the merits of the men he does name. Lecky says he omits any detailed account of the Treaty of

Utrecht because it is fully described elsewhere, as, in fact, it is in Stanhope's Queen Anne. Hume is reasonably full on the negotiations at Nimeguen, Macaulay on Ryswick, and Capefigue on both. In general the French historians as a class have given more attention to diplomatic history than either the Germans or the English.

When we remember that in the making of the treaties referred to such men as Colbert-Croissé, Caillères, De Harlay and Polignac of France, and Sir William Temple and Hyde and Sir Leoline Jenkins of England, and Van Bevening of the Netherlands were engaged, may we not fairly ask whether some special attention might not have been given to them by the historians of their period?

With the single exception of the great Treaty of Vienna of 1815, we shall find the case much the same in more recent European history. The names of any of the negotiators of the Treaty of Paris of 1856, which summed up the results of the Crimean war and introduced perhaps the most important changes in maritime affairs ever made by a single treaty, are not so much as mentioned in Justin McCarthy's interesting History of our Time.

It is but just to say that the American historians, especially Hildreth and Bancroft, have set a better example in writing of the treaties made by the United States in the period covered by their works. But the authors of our school manuals of American history give the children little or no information

concerning the diplomatic labors of the men who, by their skill, helped win in Europe those victories in the council chamber which were as influential in securing our independence as the battles of Saratoga and Yorktown.

If we cannot justify the neglect of many historians to treat with sufficient fulness the work of diplomatists, we can perceive some of the causes of that neglect. That work does not appeal to the imagination and excite the passions of men like the battles of the warrior. The processes by which it is accomplished are often, perhaps generally, guarded by governments with more or less secrecy. Even when the French and Spanish ambassadors used to make their entry into a capital with great display, their discussions in a congress and their despatches were not given to the public. Flassan (I, 37) well says, "The lot of negotiators is less favorable for celebrity than that of generals. Their works are often buried; if recent, they cannot be made public; if they have become a little old, they lack interest, unless the pen which has traced them has such a superior style that we can regard them as models of logic and of human wisdom."

But if the reader is more dazzled by the description of battles than of even the most important negotiations, is it not the duty of the historian to correct his bad taste or to disregard it by setting forth in due proportions what is really important, and by giving to great negotiators the credit which

is really their due for promoting the interests of their country and of humanity?

While general histories should give more attention to the important features in diplomatic work, it seems desirable that the diplomatic history of each nation should be written by some one of its own citizens. It is due to each nation that its diplomatic relations be set forth in such a special work in more detail than the general historian can properly resort to in his narrative. The custodians of the archives can give more liberty to one of their fellow-citizens in examining papers than they sometimes are free to grant to foreigners. But more liberality in the use of documents, and at the same time more care in preserving them, may well be exercised by governments.

So impartial an editor as De Martens complains in the preface to his Nouveau Recueil de Traités that he has been unable to procure many important documents which he needed, because they had not been published or because governments were unwilling to communicate them to him.

In some countries, notably in England, a large part of the most valuable material for diplomatic history is carried off by the foreign secretaries as they leave office. This material consists of the confidential letters from the ministers who are representing the country abroad. These letters are regarded in Great Britain as the private property of the foreign secretary. They contain often more

valuable information than the formal despatches. Being carried away, they are sometimes lost. Sometimes they appear in the publication of family papers of the secretaries, divorced from the documents which should explain or modify them. It may be a question whether in that country and in ours some provision should not be made for preserving in the archives even these personal letters to the secretaries, or such parts of them as concern public business, so that the Government may have all the facts within reach and may permit them to be used by the historian when the proper time comes for a full diplomatic history.

Several nations have published or have permitted the publication of their treaties. In addition to Barbeyrac's Collection of Ancient Treaties and the vast Corps Diplomatique Universel of Dumont, we have the Acta Foedera Publica of Rymer, the Regesta Diplomatica of Georgisch, the Codex Italiae Diplomaticus of Lunig, the collections of Abreu for Spain, the Codex Diplomaticus of Leibnitz, the great Recueils of Modern Treaties by De Martens and his successors, the British Treaties of Hertslet, the Collection of the United States, the South American Treaties, edited by Calvo, and other collections. We have also Koch and Schoell's History of Treaties. But of diplomatic histories, which give us full accounts of the origin and details and results of negotiations, and make known to us the personality and the influence and merits of the men who

conducted them, and enable us to understand the living forces which accomplished the results attained, of these we have but few. The French, with the renowned works of Flassan and Garden and Lefebvre, have outstripped all other nations.

Flassan, in speaking of such works as the Histoire des Traités by St. Preux, Mably's Du Public de l'Europe, and Koch's Abregé des Traités, well says: "In speaking of events they have said nothing of persons, although these lend great interest to a diplomatic work. It is not sufficient to give the principal articles of a treaty of peace and to add a sketch of the events which have preceded it. One should as far as possible make us acquainted with the negotiator, indicate the forces brought into play on either side, the principal debates in the conferences, the obstacles overcome, and sum up in impartial conclusions the results of the treaty or of the action of the cabinet which they are discussing."

Mr. Trescot in his two little volumes on the earlier chapters in our diplomatic history; Mr. Lyman in his more extensive work; Mr. Schuyler in his monograph on certain chapters in our history; the former president of the American Historical Association, Mr. John Jay, in his chapter in Winsor's History on the Negotiation of the Treaty of Independence, and Mr. Henry Adams in his Administrations of Jefferson and Madison, have well supplemented Hildreth and Bancroft, and Mr. Rhodes in his recent work has given long-neglected recognition to the services of

Secretary Marcy. But a full and connected history of American diplomacy, in the light of present knowledge, is still a desideratum.

It has seemed to me eminently appropriate to discuss this theme now in this age of arbitration, and here where the world is holding its great industrial congress of peace. It is meet that we should emphasize the importance of pacific negotiations as the desirable method of settling international difficulties by giving the deserved place to the histories of diplomatic labors and by asking that historians should place on the heads of great diplomatists the laurels which they merit, and of which they have too long been robbed, and should give them as honorable a position upon their pages as they assign to great admirals and great captains. Let history do what she can to perpetuate the fraternal relations of nations by glorifying the council chamber and the arbitrator at least as much as the field of battle and the warrior.

IX

THE EUROPEAN CONCERT AND THE MONROE DOCTRINE

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A DISCOURSE BEFORE THE
PHI BETA KAPPA SOCIETY OF HARVARD UNIVERSITY

IX

THE EUROPEAN CONCERT AND THE MONROE DOCTRINE

SEVEN years ago on pleasant June days like this I had occasion frequently to take the charming sail between Therapia, the attractive summer residence of the European ambassadors to the Ottoman Empire, and Pera in Constantinople. Often I met on the Bosphorus the representatives of the so-called Six Great Powers in their launches on their way to the palace of Tophane. There they spent a good part of the summer, not altogether to their enjoyment, as they complained, endeavoring to settle the questions which the war of the preceding year had left for adjustment between Greece and the Ottoman Empire, and especially to determine the disposition to be made of Crete. So long were they baffled in their efforts to reach a solution of the problems which their governments had committed to them that the diplomatic wags from the smaller States suggested that the *Grandes Puissances*, as the leading Powers styled themselves, might better be called the *Grandes Impuissances*. But what impressed an observer trained in his studies of international law to believe that in respect to independence and equality all States, small as well as great, have equal rights, was the obvious fact that in the deliberations at

Tophane so little attention was paid to the wishes of either Greece or Turkey. The question ever before the ambassadors was simply what settlement was best for Europe, or best for the interests of their respective States. All questions of indemnity, of boundary, of administration were considered not with regard to the desires of the belligerent nations, but with regard to the quiet, order, and peace of Europe, which it did not suit the convenience of Europe to have disturbed at that time.

This close view of the European Concert in action naturally started numerous inquiries in the mind of an American observer, among them the following:

What is the origin of the European Concert?

Is the influence of its action beneficent?

Is its policy just?

Has it made inroads on those ancient postulates of international law, the independence and the equality of States?

Does its existence have any bearing, present or prospective, on American affairs?

I trust that a modest attempt to consider these questions briefly may not be deemed unworthy of this high festival which annually gathers so many scholars who are accustomed to study the stately march of nations and to hail with delight any approach to that glad consummation when peoples shall secure the triumph of justice and peace by co-operation and arbitration rather than waste treasure and life in mortal combat with each other.

The first official use of this term, the European Concert, seems to be in the seventh article of the Treaty of Paris of 1856, which summed up the results of the Crimean War. That article binds the contracting Powers to respect the territorial integrity of the Ottoman Empire and to regard every act opposing this as a matter of general interest. That was a natural outcome of that war.

But the germ of the fundamental idea of the European Concert is found to antedate the Treaty of Paris by a long period. The principle underlying it is discernible in the system of political equilibrium of the Italian States in the fifteenth century, and still more clearly in the important adjustments by the continental Powers in the Peace of Westphalia. The great colonial and commercial rivalries of the sixteenth century lifted the minds of statesmen above the idea of personal conflicts of ambitious sovereigns like Francis I and Charles V to the conception of European interests which needed to be harmonized in such manner as to secure repose and peace to all. This spirit breathes through the epoch-making Treaty of Utrecht by which nearly a dozen States composed their differences for a time. I need hardly say that the striking illustration of the European Concert was found in the Holy Alliance which the audacious aggressions of Napoleon forced Great Britain, Austria, Prussia, and Russia to form. The odium which the Alliance afterwards brought upon itself by its unwarranted interference with the

internal policy of other States, European and American, interference even with legitimate aspirations for freedom, has doubtless often blinded men to its merits in saving Europe from the domination of the French conqueror. Its faults were many and grievous. But it kept alive the idea of Europe as a whole, with its rights and legitimate interests, which in the name of humanity it ought to protect against the assumptions and aggressions of any one State.

In 1831 Great Britain, Austria, Russia, and Prussia, in conference at London, having under consideration the status of the newly created kingdom of Belgium, declared that while each nation has its own rights, yet Europe has also its rights, given to it by the social order, and these rights the conference must defend.

In 1841 the Pentarchy, comprising the four great States above named and France, considering the Turkish questions, affirmed that the preservation of general peace was the constant object of their solicitude and that the affairs of the Ottoman Empire must be adjusted in the interest of Europe, and so they have been theoretically at least, however imperfectly, in practice. It was on that ground that the Treaty of San Stefano, by which Russia sought to garner the fruits of her victory over the Turks, was revised by the Great Powers in the Treaty of Berlin in 1878.

The congress of Paris in 1856 revised and amended the maritime law of Europe in the interest of the peace and prosperity of the whole continent.

It was primarily to promote the welfare of Europe that the Hague Conference was called, though its scope was made wide enough to sweep us within the range of its beneficent influence.

Though the European Concert has not been strong enough to prevent within the last half-century several wars between Great Powers, as for instance between France and Italy, between Italy and Austria, between Prussia and Austria, between Germany and France, between Russia and Turkey, yet it has exerted an appreciable influence in favor of European peace and has dominated to a large extent the policy of the smaller States. Under the recognized doctrines of intervention and the balance of power, large invasions of the old doctrines of independence and equality have been made and justified until what Dr. Lawrence well calls the Primacy of the Great Powers seems to be substantially established.

The present kingdom of Greece was not only called into being by them, but in all its chequered history from 1832 down to its foolish war with Turkey in 1896 it has been largely controlled by them. The existence of Belgium and the neutralization of its territory and of that of Switzerland and of that of Luxemburg are of course due to the action of the Great Powers. The Eastern question in its manifold forms, affecting Turkey and the Balkan States in all their frictions and disorders, is ever busying the cabinets of the great States. The new kingdom of Italy was received by them into their

brotherhood in 1867. They have drawn no constitution to define the powers which they will exercise. But in many things they speak for Europe and their wishes are commands which the lesser Powers find it wise and even necessary to obey. The Concert of Europe is a political fact, which cannot be ignored.

Has its influence been beneficent? Has its existence been a good fortune to Europe? On the whole, yes. It has tended to keep before the nations the broad view of the peace and welfare of Europe as an end more desirable than the triumph of any one State. If it has sometimes cramped the autonomy and liberty of a small State, on the other hand it has often prevented the absorption of the small State by some greedy and tyrannical neighbor. Greece hampered in the aspirations of her restless and excitable people is more prosperous and happy than she would be under Turkish rule from which the Concert delivered her and now protects her. Belgium, relatively insignificant, but neutralized, is far more fortunate than she was as the cockpit of Europe. Perhaps the greatest failure of the Concert is in the Ottoman Empire and the Balkan States. But it must be admitted that the problem there is one of extreme difficulty. With all the defects and all the abuses which can be charged up against the Concert, so signal have been its benefits that the distinguished French statesman and author, Hanotaux, said in a speech to the French Chamber that

the Concert is "the only tribunal and the only authority to which all can and should bow."

If it infringes on the independence and equality of States, even of the smallest, can its existence and action be justified? I suppose few will go so far as the learned Edinburgh professor, Lorimer, and declare that the equality of States and absolute independence may be safely said to have been repudiated by history as always by reason. On the contrary most of us will hold that some sufficient reason must be given for disregarding in any degree the old postulate that any State is entitled to have its independence and equality of rights respected by other States, however many or powerful. Is there any good ground for the policy of the European Concert? I think that question should be answered, under certain reservations, in the affirmative.

Must it not be conceded that the Great Powers justly assume a certain solidarity of interest, certainly so far as preventing European wars is sought? Is there not solid moral ground for esteeming the collective good of Europe as of more value than the advantage of any one State, especially if it is a relatively unimportant State? May not the Great Powers, if they see a small Power pursuing a policy dangerous to the general peace of all or of several, justly intervene to prevent it, as any government checks the violence of one of its own citizens? Indeed the right of intervention by one State in the affairs of another in order to secure its own safety

is freely recognized. If the order and well-being of several States are menaced by the capricious action or even by the independence of one State, does not the right of intervention and regulation by still stronger reason inhere in them? If we may properly assume a certain solidarity or community of interest in Europe, do not the best interests of all the States limit the public action of any one State through regard for the general good? It was only on this principle that the Congress of Berlin could assume to call Russia to account for the Treaty of San Stefano. Of course the intervening Powers, however strong or numerous, can be justified in intervention only in case their motives and their acts can be defended at the bar of reason. Many interventions have been wrong and deserve condemnation. But on the other hand is it not plain that certain interventions have been beneficial and so commendable? Even so conservative a writer as that high English authority, Mr. W. E. Hall, says "A somewhat wider range of intervention than that which is possessed by individual States may perhaps be conceded to the body of States, or to some of them acting for the whole in good faith with sufficient warrant. In the general interests of Europe, for example, an end might be put to a civil war by the compulsory separation of the parties to it, or a particular family or a particular form of government might be established and maintained in a country, if the interests to be guarded were strictly international, and if the main-

tenance of the state of things set up were a reasonable way of attaining the required object.

"Certainly there must always be a likelihood that powers with divergent individual interests, acting in common, will prefer the general good to the selfish objects of a particular State. It is not improbable that this good may be better secured by their actions than by free scope being given to natural forces. In one or two instances, as, for example, in that of the formation of Belgium, and in the recent one of the arrangements made by the Congress of Berlin, and of the minor interventions springing out of it, settlements have been arrived at, or collisions have been postponed, when without common action an era of disturbance might have been indefinitely prolonged and its effects indefinitely extended. There is fair reason consequently for hoping that intervention by, or under the sanction of, the body of States on grounds forbidden to single States may be useful and even beneficent. Still, from the point of view of law, it is always to be remembered that States so intervening are going beyond their legal powers. Their excuse or their justification can only be a moral one."

I venture to ask in respect to the last two sentences I have quoted from Mr. Hall whether if the acts of intervention under consideration in any given case have an excuse or justification which is a moral one, the States performing them can be going beyond their legal powers, provided by the phrase "legal powers"

we mean powers allowable under international law. For how do we determine what powers are thus allowable except by finding the moral sense of nations as expressed in their usages? And the moral sense of Europe appears plainly to be that the Great Powers may infringe upon the independence and equality of the minor states, if such infringement is essential to the preservation of the general good. If such infringement is justifiable on moral grounds, is it not by that fact to be regarded as justifiable in international law?

Professor Westlake of Cambridge in his Chapters on the Principles of International Law points out that many States are permanently in a state of political inferiority to others and yet declares that their legal equality is not infringed thereby. He shows how the Congress of Berlin changed the boundaries of Servia, Roumania, and Montenegro, although those states had no seats in the Congress and affirms that this shows how political inequality is compatible in the European system with legal equality. The validity of these assertions depends on the definition of the term "legal equality." But surely the independence and equality recognized as the fundamental postulates of international law are wanting in these cases. Whatever significance may be attached to the words "legal equality," it is clear that eminent European publicists approve of the European Concert and are hopeful of ultimate beneficent results from its action. Professor Westlake himself says,

"the fact is not one to be condemned. It may prove to be a step towards the establishment of a European government, and in no society can peace and order be permanently enjoyed without a government."

Rolin Jacquemyns, who has contributed so much to the European discussions of grave questions in international law, says of the Concert, "However weak and contradictory the action of this syndicate has shown itself to be in recent times, we must none the less respect in it the germ of an institution which may at some time by its organization and development become extremely useful to the progress of international law."

The best public opinion in Europe is recognizing and emphasizing the fact that Great Powers which have great strength and influence have not only the right, but have also the obligation to use that strength and influence for the triumph of justice and the promotion of peace in all their international relations. If wars come, they shall come mitigated by such humane regulations as the Hague Conference can devise. The collective interests of Europe shall be paramount in importance to the interests of a particular State. The political power of the great States must needs be superior to that of the minor States, but the internal or external controversies of the latter must not be allowed to endanger the quiet and prosperity of the continent. No doubt the Concert will sometimes be unjust or unwise in the future as it has been in the past, and will

deserve and receive condemnation. But in many emergencies it will be of service in the future as it has been in the past. That it exists as a great Force cannot be denied. That it is likely to be a greater Force in days to come can hardly be doubted. It bids fair to be a sort of permanent intellectual executive. It has so many variable factors that there is danger of a lack of stability and of the highest moral aims. No doubt there is the risk that the smaller States may in days of stress be cut up into small change to settle the debts of the larger States to each other. But with all its defects, present and prospective, it seems to be carrying Europe as far as any arrangement ever made towards that great continental confederation of which dreamers have dreamed and poets have sung, but which has not yet come down out of the skies to put an end to wrangling and injustice and war. By its fruits it must be judged.

In view of the Concert of the Great Powers of Europe for the control of the affairs of their continent, and of their marked exercise of power over the smaller States, have they any cause to complain of our policy in attempting to prevent unjust encroachments by any of them on the territory of the weaker American States? By virtue of our pre-eminence in strength and in political success we have undertaken by our Monroe Doctrine to protect the States to the south of us from unwarrantable interference. We have done this without selfish greed for territory. We

have doubtless preserved to some of the States territory which but for us would have been lost to them. We have not deprived them of legal rights. If we have limited the foreign relations of Cuba, it is to preserve her independence and to prevent our complications with European Powers. We have sought to promote the highest interests of the whole continent. We have frankly proclaimed from the outset that one of our motives was to save ourselves from such entanglements and conflicts with European Powers as would threaten us if there was not a limit set to the encroachments of foreign states on the territory of either North or South America. But nowhere have we trenched upon the sovereign rights of smaller States as the European Concert has many times done. I am aware that some of our own citizens have charged that in the Panama affair we have in the treatment of Colombia followed unworthy examples set by the Great Powers. I do not so read the history of the separation of Panama from Colombia and our recognition of the new State. But granting for the moment the most unfavorable interpretation of our policy, certainly Europe cannot complain, as indeed she has not complained. The Great Powers speedily approved of our action. And every one must admit that by the contemplated construction of the Panama canal we are conferring an immeasurable benefit upon the world, including Colombia and Panama. While recognizing to the full whatever blessing the Concert of the Great

Powers has brought to Europe, we may boldly challenge foreign critics of our Monroe Doctrine to show us any so generous act of the European Concert as our liberation of Cuba and our guarantee to her of her autonomy in the face of all the chorus of predictions from beyond the sea that we should never have the magnanimity to live up to our promises. One of the most fertile islands in the world, by her situation of the highest strategic importance to us, under Spanish rule a constant menace to our peace, we could have easily found a thousand European precedents for annexing her territory, but the world knows that she has an assurance as firm as that of Canada that she will not be absorbed by the Union until she sues for admission.

It has of late become the fashion in some quarters to speak in derogatory terms of the Monroe Doctrine. No doubt the various interpretations put upon it in the changing exigencies of our history are puzzling to one who attempts to define it in terms covering its various applications. No doubt the strain put upon it by the political vicissitudes of states like Venezuela and San Domingo is often perplexing to our government. But standing here on ground made sacred by the presence, the life, the teachings of that great Harvard statesman, John Quincy Adams, to whose matchless courage and far-sighted wisdom we owe the declaration which we call the Monroe Doctrine, but which might more justly be called the Adams Doctrine, I for one cannot under-

stand how any American citizen, and especially how any Massachusetts man, can recall except with a thrill of gratitude and admiration that the brave Secretary of State was able to inspire the slow-moving and lethargic President to fling out the challenge of 1823 into the face of the Allied Sovereigns of continental Europe. James Monroe held the trumpet, but John Quincy Adams blew the blast. The notes have never died upon the air. They were heard in full force when another Massachusetts man, Richard Olney, sat in the chair of Secretary of State. Nor are they likely to die so long as Harvard successors to John Quincy Adams hold the executive chair.

We are told that the Republics of South and Central America are sometimes sensitive because we have by ourselves assumed this protective attitude towards them. It is easy to see how this is possible. It implies a certain dependence which is wounding to national pride, though in case of urgent need, as in the boundary controversy between Venezuela and Great Britain, our aid was by no means spurned.

The development of the European Concert suggests the question whether ultimately, perhaps in a future somewhat remote, the larger states south of us and Canada, if she becomes entirely independent, might join us in some kind of a friendly American concert to promote general continental interests and to prevent foreign intrusion. Is it not conceivable that Mexico, Brazil, the Argentine Republic, and Chili might reach a development that would make this possible?

Who can say that in a similar manner China and Japan may not make an Eastern Asiatic concert which shall work out policies mutually beneficial to their common interests and also useful to mankind? In so doing they would be following the excellent advice given them by General Grant in his visit to them. In my judgment nothing in his career was more creditable to his intelligence and his humane spirit than the counsels he gave to Prince Kung and Li Hung Chang on the one hand and to the Emperor of Japan on the other to the effect that China and Japan should cultivate friendly relations with each other and avoid contracting large debts to Europe. His wise act deserves to be better known and more justly appreciated in this country. It was prompted by the same spirit which has led our recent administrations to take such signal steps in preserving the integrity of China and in bringing to an end the war which has been ravaging the far East.

If Great Britain holding India, and Russia holding Central and Northwestern Asia, could come to some harmonious understanding as to their Asiatic schemes what a blessing it would be to them and to their Asiatic subjects. Africa for the present must apparently fall under the European system.

It may not be possible, perhaps it is not desirable, that the European Concert should be developed into a constitutional organization like that imagined by the Abbé de St. Pierre or by Kant in his scheme

for a Perpetual Peace, lofty as were their aspirations and beautiful as were their dreams. But if by spontaneous action the Great Powers are ready to act together, even in partial control of the minor Powers, so as to secure with justice the peace and welfare of Europe and to discuss in a friendly spirit in repeated sessions of the Hague Conference the principles which should govern international relations, may they not well be pardoned for exercising a sort of primacy over the minor states on their continent? Every step is welcome which helps the world substitute deliberation and arbitration for war and secures us the attainment of the general good rather than the advantage of any one State, great or small. So it behooves us in the exercise of the primacy, which we have for certain purposes claimed and exercised on the American continent, to consider the welfare of all the States concerned as well as our own if we are to command the respect and the assent of the world. Adhering to the Monroe Doctrine in this lofty spirit, we may rest assured that our right to do so will not be questioned by any of the members of the European Concert. Even at some inconvenience we will continue to discharge the high duty to which Providence seems to have called us to shield the territory of America from European intrusion. By such a policy we shall protect them and protect ourselves from the perils against which the prescience of John Quincy Adams sought to guard us in the early years of the Republic,

and which, but for our maintenance of that policy, would be as menacing now as he deemed them in his day.

I know we are told that there is no longer any danger of an attempt by European states to carve up and gain possession of American territory. How one who sees what has just been going on in China can hold such a view it is difficult to understand. Not in the colonization frenzy of the sixteenth century was there a more voracious greed for the acquisition of foreign territory for the purpose of developing and controlling trade. See how Russia pounced on Manchuria with its seven hundred thousand square miles and vast resources, how Great Britain then planted her foot upon Wei-hai-wei, ever keeping her eyes on the immense Yangtse Valley, to be appropriated in case of a general division of China, how Germany on the slimsiest pretexts got practical control of the rich province of Shantung with its thirty millions of inhabitants, and how France was watching the game with its hands ready to fall on the province of Yunnan and so much of Szechuen as could be secured, and all this to gain new and large markets for their products. What ground is there to believe that if we withdrew our objections we should not see a similar scramble for all the territory south of us from the Rio Grande to Cape Horn, and how easily would excuses be found for conquest in such controversies as have already arisen between European Powers and the Spanish-American States?

Some do maintain that there is no objection to this, and that indeed it would be better for all that the territory south of us should be divided among strong European Powers. Such men may logically discard the Monroe Doctrine. But those who hold the opinions of Jefferson and Madison and John Quincy Adams, those who feel the thrill of delight which we all felt when Mr. Seward served notice on Louis Napoleon to decamp with all his baggage without delay from Mexico as Sheridan's forces moved into Texas, those who believe that it is best for us, best for all, that America should be kept for Americans and governed by Americans will ever sustain our government in insisting that the European States, whatever conquests or spoliations they make in Asia and Africa, shall make no more on our side of the Atlantic.

X

PRESENT PROBLEMS IN THE RELATIONS OF MISSIONS TO GOVERNMENTS

APRIL 25, 1900

READ AT ŒCUMENICAL COUNCIL, NEW YORK

X

PRESENT PROBLEMS IN THE RELATIONS OF MISSIONS TO GOVERNMENTS

THE problems in the relations of missions to governments may all be brought under two classes:

1. Those involved in determining the rights and privileges of missionaries in foreign lands;

2. Those involved in determining the duties of governments in protecting missionaries and the property of missionary societies.

It will aid us in solving the problems in the first class if we clearly affirm at the outset that the rights and privileges of missionaries in foreign lands are to be determined by exactly the same principles that determine the rights and privileges of other citizens of their country. Those principles are such as are given by treaties between their own government and the government of the land in which they are at work, or by general international usage.

It has sometimes been alleged that missionaries and their friends claim for them exceptional rights and privileges above those of their fellow-citizens. I am not aware of any ground for this charge. Certainly they have no legal justification for such a claim, except as treaties or usage make discriminations in their favor. An illustration of such dis-

crimination is found in the admission, free of duty, into the Ottoman Empire of the articles needed in the prosecution of their work. This is a very ancient concession made by the Ottoman Government, and the missionaries of all lands have a perfect right to avail themselves of it.

Some critics of missions seem to claim that missionaries are not entitled to the same treatment by foreign Powers as men engaged in mercantile pursuits. The tone of their criticisms indicates that in their opinion a man engaged in any trade, even in selling spirituous liquors in a Mohammedan country, may, if interfered with, properly invoke the assistance of his government in securing for him the privilege of carrying on that business, while a missionary, who is attempting to teach the Gospel or heal the sick without charge, if he is interfered with contrary to treaties, may not properly invoke such aid.

Now we are surely on solid ground in affirming with the utmost confidence that missionaries have the same legal right to reside, travel, trade, teach, heal, transact their legitimate business in a foreign country as any of their fellow-citizens have to follow their chosen pursuits there, unless by international stipulation some limitations are imposed upon them in respect to the work they propose to do. That distinguished Attorney-General of the United States, Caleb Cushing, gave it as his official opinion that where it is declared in the Fourth Article of our

Treaty with Turkey that "citizens of the United States of America, quietly pursuing their commerce . . . shall not be molested," the word "commerce" means "any subject or object of intercourse whatever." (7 Op. Att'y Gen. 567.) In the eye of the law missionaries are in a foreign land, primarily, in most cases, merely as citizens. They do not and cannot lose their citizenship by being missionaries. They are not divested of a single iota of their rights and privileges as citizens by their special calling. It is therefore an injustice and an impertinence for critics or for foreign Powers to discriminate against them in defining their rights and privileges as citizens.

Furthermore, in some countries, as for example in China, missionaries have the liberty guaranteed to them in specific terms to teach the doctrines of the Christian faith. The Twenty-ninth Article of our Treaty of 1858 with China permits our Christian citizens or their Chinese converts to teach as well as to practise the principles of Christianity in the Empire. It reads thus: "The principles of the Christian religion as professed by the Protestant and Roman Catholic Churches are recognized as teaching men to do good, and to do to others as they would have others do to them. Hereafter those who quietly profess and teach these doctrines shall not be harassed or persecuted on account of their faith. Any person, whether citizen of the United States or Chinese convert, who, according to these tenets, peaceably teaches and practises the

principles of Christianity, shall in no case be interfered with or molested." The right and privilege of doing this appropriate work of the missionaries are thus secured to our citizens under the same sanctions as the liberty of trade in certain ports. Therefore the missionary who claims the right to teach the Gospel there is no more presuming or obtrusive, so far as the matter of legal rights is concerned, than the merchant who offers petroleum or flour for sale.

So in the Ottoman Empire by the usage of centuries, and specifically by the so-called Capitulations of 1535 with France and later Capitulations with other Powers, and by the provisions of the Treaties of Paris, 1856, and Berlin, 1878, the missionaries have indisputable rights to maintain their hospitals, schools and chapels, subject to reasonable provisions of local law. There is no ground for the charge, sometimes recklessly made by those who are ignorant of the legal relations of ecclesiastical bodies in Turkey to the Government, that missionaries are lawless intruders in the Ottoman Empire. They are there carrying on their work by as unquestionable a legal right as any foreign merchant or banker in Constantinople.

But while declaring these rights and privileges of the missionaries, we must recognize that they are to be enjoyed, like all rights and privileges of men in society, under certain limitations. And so far as I know, missionaries and mission boards recognize these limitations. Let us notice two of them.

1. Missionaries in a foreign land have no right under color of teaching religion to assail the lawful authority of the Government or to encourage subjects to be rebellious, disloyal, or disobedient to law. They are not, for example, to lead their disciples to avoid the payment of taxes or the discharge of military duties. They may believe that the Government is bad and its laws oppressive. But they are not in the country to carry on reform or revolution in the Government. I think that our American missionaries have with great discretion and fidelity observed this limitation upon their activities.

2. In the conduct of their schools and in their publications they must conform to the regulations fixed by law. If these regulations are in violation of the treaties, diplomatic intervention must secure the modification of them. In the Ottoman Empire our missionaries obey all the laws concerning the establishment of their schools, the censorship of text-books, the qualifications of teachers. It is fair to say that the laws on these subjects are not unreasonable, though sometimes exception is justly taken to the manner in which they are executed. Sometimes annoying and unwarrantable interference with the schools is practised by officials, but the Consul or the Minister interposes to stop it.

I would add that it is the moral duty of the missionary, without always claiming all the privileges to which he is by law entitled, to avoid giving needless offence to the people among whom he resides by

disregarding their tastes and prejudices, or even their superstitions. For instance, the Chinese consider that the erection of a church, especially if it have a spire, in proximity to the magistrate's office, is calculated to bring disaster upon the city. A wise missionary will avoid selecting such a site for his church, even though he may have bought the site and be legally entitled to erect his church upon it. I think the American missionaries have usually shown courtesy and delicacy and tact in accommodating themselves to circumstances so as to prevent as far as possible friction with the Chinese.

It is also the duty of the missionary to be patient under petty annoyances and by courteous and respectful approach to the local officials to adjust his difficulties, if possible, without invoking the intervention of Consul or Minister. He thus strengthens his position by sparing the local official the humiliation of being called to account by his superior. Many of our missionaries have shown great skill and aptness in that kind of personal diplomacy.

But none of these limitations should be interpreted to prevent our missionaries from using their good offices either directly with the officials or indirectly through diplomatic interposition to relieve native converts from requirements and from taxes obnoxious to these converts on Christian grounds. For instance, in Chinese villages there are at times theatrical shows and festivals, which are in the nature

of religious offerings to gods, and all the villagers are levied on to meet the expenses. Pung Kwang Fu, a former Chinese Minister to this country, maintained at the Congress of Religions at Chicago that the Christian villagers are rightly required to join in defraying these expenses. But in 1881 at my request the Chinese Government readily issued decrees freeing native Protestant converts from this burden, which the natives were reluctant on conscientious grounds to bear. The Roman Catholic converts had previously been declared exempt from these assessments.

So our missionaries have very justly on many occasions petitioned the magistrates against the practice by petty officials of annoying and persecuting native converts. But this is merely an act of friendly intervention.

2. How far should our Government go in securing to our missionaries the enjoyment of their rights and privileges in the prosecution of their work? This is a more difficult question than the first.

Can we say any less than this—that, in general, it is our Government's duty to protect missionaries as it protects all other citizens in anything that they have a right to do? How can any discrimination against them be made? They ask for protection only as American citizens and only in the enjoyment of rights to which they are clearly entitled under treaties or the recognized principles of international law. And this protection no self-respecting Govern-

ment can refuse them without forfeiting the esteem of its citizens and the respect of foreign States.

It is, in my opinion, not wise for our government to interpose, except by respectful request, for the protection of native converts against persecution and injustice. The French do, under the Capitulations, take native Roman Catholic converts in Turkey under their formal protection. Possibly we could make an argument for similar action in that country on the same grounds, and in China under the Treaty of 1858. But we have generally refrained from taking foreigners under our protection, though for a time in Turkey we had several foreigners enrolled in our legation as *protégés* of our Government. To attempt this carries us on to delicate ground, and it is better not to make the effort.

Again I suppose we shall all agree that we should not make war upon any nation for the sake of carrying Christianity into it. I need not pause to argue on that point.

But when missionaries have entered a country under treaty stipulations, and all the resources of diplomacy have proved unavailing to secure their protection, shall a display of force be made to protect them?

Many hesitate or refuse to give an affirmative answer to that question. They say first that it is incompatible with the spirit of Christianity to use force in propagating the Gospel of Peace and Love, and secondly, that the display of force is of no

service and is a sham unless the government is ready to follow it with greater force and so to resort to war, if protection cannot otherwise be secured for the missionaries.

To which it may be replied, first, that in the case supposed force is not used or threatened for propagating the Gospel, but for protecting the lives and property of citizens, whose guaranteed rights as citizens are threatened. And if their rights are not respected, if their own Government allows them to be divested of their rights and makes no effort to see that the treaty stipulations are enforced for their safety, what assurance will there be for the rights of other citizens of their country? The Government which breaks treaties with respect to missionaries and sees that their own Government takes no steps to protect them will easily yield to the temptation to infringe on the rights of other citizens. Is it not possible that because our Government has allowed outrages against our missionaries to go on since 1883 in Turkey—highway robbery, brutal assault, destruction of buildings—without any demonstration beyond peaceful and patient argument, the Ottoman government is now proceeding in so high-handed a manner to prevent by false allegations the importation of our flour and our pork? A nation which allows one class of its citizens who are of the purest character and most unselfish spirit to be insulted and outraged with impunity in a foreign land must not be surprised if other classes of its

citizens are also imposed on and wronged in that land, wherever selfish interests are invoked against them.

We are now rejoicing over the prospect of an "open door" into China, not only in the sense of that term in the correspondence of the Secretary of State, but also in the larger sense of freer access for trade to all parts of China. We are hoping to build and equip railways for that empire. We therefore need absolute protection for our engineers, mechanics, and merchants in the interior of China. Have our business men reflected on the probable consequence to their agents in China of allowing our missionaries to be attacked by mobs? A foreigner is to those mobs a foreigner, whatever his occupation, and they rarely discriminate between the foreign merchant and the foreign teacher. If we allow teachers to be mobbed with impunity we must expect railway builders and merchants to share the same fate.

The question we are considering is by no means so simple as the critics of missions think. Careful observation will show that our large mercantile interests are likely to be imperilled by our neglect to insist on the rights which citizens of any honorable calling are entitled to under treaties or international law.

Secondly, a display of force does not necessarily mean war. It is certainly an emphatic mode of making a demand. It may at the worst issue only in reprisals. It often insures the prompt settlement of difficulties which if allowed to drag on and accumulate would end in war. Therefore, wisely and opportunely

made, a proper demonstration in support of a just demand may obviate the ultimate necessity of war.

So far as the missionary interests are concerned we could not desire a war to be waged avowedly in defence of them alone. Not only would it seem to us all out of keeping with the spirit of Christianity, but it might destroy all prospect of subsequently disseminating Christianity among the people with whom we should be at war. If our missionaries can remain in a foreign country only on condition that we extort from the government of that country permission for them to remain by covering them with a battery of artillery, then so far as they alone are concerned, we might better obey the injunction of our Lord to his disciples to shake the dust from their feet at the gates of hostile cities and move on.

But that is not the alternative actually presented to us. The two countries in which the missionary crises are oftenest acute in our day are the Chinese and Ottoman Empires. In neither has the Government undertaken to expel the missionaries. In the former it has often failed to suppress lawless attacks on them and on their property. In the latter, sometimes instigated by mischievous men, the officials have often interfered with the labors of the missionaries, and the Government has failed to pay for property destroyed by its own soldiers in time of popular tumult. There is reason to believe that in both countries on certain occasions the Governments were not unwilling that some of the offences

named should be committed. In China whatever animosity has been shown to the missionaries has generally been manifested against them as foreigners rather than as Christians. In Turkey the animosity, so far as it exists, has been chiefly due either to the rivalry of other sects or to the fact that largely the missionary work is carried on among the Armenians, with whom the Turks have of late been so at variance.

The problem then actually is, not how to prevent the expulsion of missionaries, but in two empires where they have unquestionable right to labor, how to protect them from unlawful annoyance and from the destruction of their property.

The problem is not a simple one for the Government. If it does nothing but register requests for justice, injustice may be done, not only to missionaries, but also to other citizens. These dilatory oriental governments, embarrassed by many difficult problems of internal administration, do not willingly act except under some pressure. And pressure, which is not war, and which will probably not lead to war, can be brought to bear by diplomatic and naval agencies.

Our Government was never in so good a condition to pursue such a policy. It has a prestige among oriental nations before unknown. Its voice, when it speaks with an imperative tone, will now be heard. The question for it is far larger than a missionary question. An influential American citizen, not a missionary, has lately written me from an oriental

country, where our requests have received little attention, saying, "If our Government proposes to do nothing for American citizens they should say so and turn us over to the care of the British embassy."

Such language as that makes one's blood tingle and stirs us to ask afresh, not alone as friends of missionaries, but as American citizens, what policy will our nation adopt to secure the rights of all our countrymen of whatever pursuit who are dwelling under treaty guarantees in China and Turkey. The friends of missions ask no exceptional favors from the Government. They simply seek for such protection as their fellow-citizens need.

It is of course for our Government to say at what time and by what methods it shall act. It is sometimes wise and even necessary for a Government to postpone seeking a settlement of difficulties with a foreign Power even when it is clear that a settlement is highly desirable. Great exigencies may require delay. We must allow our authorities to decide when and how to proceed. We must exercise the patience which patriotism calls for. But we may be permitted without impropriety to express our desire and our opinion that our Government should find some way to make it absolutely clear to oriental countries that it intends to secure the protection for all our citizens, including missionaries, to which they are entitled by treaties and by international law.

XI

THE TURKISH CAPITULATIONS

READ BEFORE THE AMERICAN HISTORICAL ASSOCIATION AT DETROIT, IN DECEMBER, 1900

XI

THE TURKISH CAPITULATIONS

SINCE the capture of Constantinople by the Turks in 1453 the relations of the Western Nations to the Ottoman Empire have been in many respects unique. These relations were determined and defined by decrees of the sultans, who granted large privileges and powers to Europeans resident on their soil. To these decrees in due time the name of Capitulations was given, apparently for the reason that they were divided into articles or chapters. They were personal grants, valid only for the life of the grantor. Hence they were renewed, often with modifications, on the accession of a new sultan. So we find many Capitulations made with France, England, and other states. The earliest of these Capitulations, to which reference is now made for authority, is that of 1535, with Francis I of France. It is more specific and formal than any previous decree. It remained practically in force for three hundred years.

It is an interesting fact that concessions similar to those made in the Turkish Capitulations were granted to foreigners in the Orient prior to the

establishment of the Ottoman power in the Levant. There is a tradition that ten centuries ago Arab traders were admitted to Canton with permission to erect a mosque and have a cadi and their own laws,[1] and another that about the same time the califs of Egypt granted similar privileges to the merchants of Amalfi. It is certain that in the Latin colonies in the Greek Empire and on the coast of Africa and of Syria in the eleventh and twelfth centuries the traders from Amalfi and Venice carried with them their local laws and jurisdiction. After the crusades the Frankish barons holding Eastern ports sought successfully to attract Western trade by releasing it from many of the burdens imposed on it in Italy and France in the form of taxes, imposts, the *droit d'aubaine*, etc. The foreign community or colony was governed under the laws of its own land by a consul, or an official having some other title, but invested with the powers of a magistrate. In the Mussulman States of Northern Africa and the Levant, in the fourteenth century, the foreigners of each nation were often gathered in one large establishment with their shops, their chapel, and their consular residence. At the same period in the Greek Empire and in Christian States in Syria the foreigners received sometimes the concession of a whole street or even of a quarter of the city for their churches, residences, mills, and baths, and in some cases of

[1] Travers Twiss in *Revue de Droit International*, 1893, p. 207. Pardessus, *Lois Maritimes*, II, p. cxxxviii.

lands adjacent to the city. But in all these Oriental States the Western merchants had the privilege of exterritorial jurisdiction. These concessions seem to have been due to a recognition of the wide difference between the Eastern and the Western civilization, laws, customs, and manners, and to have been deemed conducive to the harmonious life of the natives and the foreigners. They were a natural outgrowth of the conditions in which these peoples of diverse origins found themselves and were regarded as no more beneficial to the foreigners than to the natives.

Pradier Fodéré, who gave special study to this subject, thinks that the Mohammedans were very ready to grant large privileges to the foreign merchants because of their disinclination to leave their own country for the purposes of trade, and because of their lack of experience in navigation and their need of attracting foreigners to make use of their extended coast, their fine harbors, and their abundant products.[1]

As Mohammed II, when he captured Constantinople in 1453, was familiar with these usages, which had been followed in Moslem and Christian seaports of the Levant for three or four centuries, and which on the whole had contributed to the harmony between the natives and the foreigners, it is not surprising that he decided to grant to the foreign residents in his domain substantially the same

[1] *Revue de Droit International*, 1869, p. 119.

privileges which they had previously enjoyed. It afforded him the simplest and easiest method of administration. It was for his convenience quite as much as for theirs that he left large liberty to the conquered Greeks, and soon confirmed to the Greeks and Venetians and other nations the privileges they had enjoyed under the old Empire. He was inspired by real statesmanship. It may well be doubted whether he supposed that he was exercising special generosity to the foreign powers.

When Francis I of France found himself engaged in his great conflict with the Emperor Charles V, he threw aside the scruples which Christian sovereigns had generally entertained against forming an alliance with the Moslems and sought the friendship of the Sultan Suleiman, who was also opposing the German Emperor. One of the results of this friendship was the granting by the Sultan of what is generally called the First Capitulation. Unhappily the text of this important document is lost. But as we have later Capitulations, which we have every reason to suppose do not differ essentially from the first, we are reasonably sure of its import. It seems to have been in form not a treaty, but a unilateral document, a grant or concession by the Sultan to his friend, the King of France. It permitted to French subjects the rights of residence, trade, and local jurisdiction which have been since 1535 enjoyed by them. The Capitulation which is now generally cited as the basis of the rights claimed by foreigners is that of

1740. Since by Capitulations and later by treaties other nations have received the same rights as "the Franks," all nations refer back to the Capitulation of 1740 to sustain their claims.

The substance of the concessions in the chief Capitulations was as follows: The Franks were to have the liberty to travel in all parts of the Ottoman Empire. They were to carry on trade according to their own laws and usages They were to have liberty of worship. They were to be free from all duties save customs duties. They were to enjoy inviolability of domicile. Their ambassadors and consuls were to have exterritorial jurisdiction over them. Even if they committed a crime, they were to be arrested by an Ottoman official only in the presence of a consular or diplomatic official of their own country. The Ottoman officers, if asked by a consular or diplomatic officer to aid in the arrest of a French subject, must render such service. The Franks had the full right of making wills. If they died intestate in Turkey, their own consul must take possession of their property and remit it to their heirs. In fact, the Franks and other nations at last had *imperia in imperio.*

Naturally enough other Western Powers soon sought to secure the same privileges as France In 1579 Queen Elizabeth endeavored to secure the favor of the Sultan by reminding him that like him she and her subjects were opposed to the worship of images. This remarkable attempt to show a

resemblance between Protestantism and Mohammedanism was not immediately successful in the face of French opposition. But in 1583 the Queen did succeed in establishing relations with the Sultan and appointed William Harebone ambassador. The Capitulation was afterwards many times renewed. The Netherlands received a Capitulation in 1609, and Austria in 1615.

In 1673 France obtained a new power; namely, the exclusive right of protecting under her flag the subjects of sovereigns who had received no Capitulations. This gave her prestige in Western Europe and placed several Powers under obligations to her. But in 1675 England, after a vigorous effort, succeeded in depriving her of the exclusive right of protection of other nations, so that some states, Genoa for instance, had the option of English or French protection. In 1718 Austria got permission for Genoa and Leghorn to use her flag. The smaller states were for a long time glad to secure the protection of one of the strong Powers.

Perhaps no concession made by the Capitulations to foreign powers has been more abused than the grant of this right of protection. We are all indebted to M. Francis Rey for the thorough study he has made of this subject, and I borrow mainly from him the statements which follow.[1] The French, English, and Romans seem to have been especially guilty of

[1] *La Protection Diplomatique et Consulaire dans les Echelles du Levant et de Barbarie*, par Francis Rey. Paris, 1899.

abuses of the privilege of taking foreigners under their protection. They sold to native Greeks and Armenians the privilege of protection by a document which exempted them from paying duties on goods imported. Many of these became rich by this advantage and were allowed to make a transfer of their privilege for a consideration. Ambassadors were allowed to have a large number of dragomans, to each of whom they gave a *barat*, which secured for them valuable exemptions. The ambassadors came to dispose of these appointments or *barats* for sums ranging from twenty-five hundred to four thousand piasters. One of the French ambassadors, it is stated in an official report, received more than four hundred thousand francs from this source. The English ambassador is said to have received two thousand to three thousand pounds sterling income from the same source. The ambassadors presumed to bestow this *barat* for life. They used to bribe officials even in the Sultan's household. They went so far as to issue patents of protection to whole families of Greek or Armenian subjects of the Sultan.

Russia and Austria shamefully abused this right of protection for political ends. Rivals in seeking influence in Moldavia and Wallachia in 1780 and 1782, their consuls competed with each other in gratuitously granting patents of protection to the natives. At the close of the last century Austria had by this process more than two hundred

thousand subjects in Moldavia and sixty thousand in Wallachia. But these last were afterwards made Russians by changing the patents, when the Russian influence became preponderant in Wallachia.

In 1806, in order to embarrass Russia, Napoleon put an end to the abuse by French ambassadors of the right of issuing the *barat* to any persons but the dragomans. And Turkey succeeded in persuading most of the foreign Powers to imitate his example. But this did not prevent Russia and Austria and Great Britain, through their consuls, taking large numbers of Turkish rajas under their protection by one pretence or another. In 1808 it is said that Russia had one hundred and twenty thousand Greek subjects of the Sultan, Austria a large number of Dalmatians and Croats, and Great Britain many Indians and Maltese registered as their *protégés*. Of course they formed lawless crowds claiming exemption from police supervision. Some of the *protégés* were rich merchants, whose acts caused diplomatic conflicts. It is not strange, therefore, that in 1869 the Sultan issued an *iradé* forbidding the naturalization of his subjects under a foreign government unless they had previously obtained his consent. Surely he had been imposed on long enough.

The treaties of this century between Turkey and Western Powers are all based on the Capitulations, notably those of 1740. Of late years some important

changes have been made. The most noteworthy are these: Down to the nineteenth century foreigners could not hold real property except under borrowed names. Since 1867 they have been allowed to hold it. Duties on imports were formerly only three per cent. Now they are eight per cent, but can be raised only by treaty. Since 1868 the inviolability of the domicile of a foreigner is limited to residences within nine hours' journey of a consular post. Questions of real property are determined in an Ottoman court. Religious freedom is confirmed in all the treaties.

Naturally enough Turkey has made repeated efforts to annul the Capitulations. She tried to do this at the Paris Congress of 1856, and again in 1862. But the Powers generally have been unwilling to yield to her desire. Germany, whose policy for some years has been to secure the favor of the Sultan, renounced the Capitulations ten years ago, but under the most favored nation clause in her treaties retains the same privileges as others.

All the Powers except the United States have surrendered in large degree their exterritorial jurisdiction over their subjects, though the consul of the subject accused of crime attends his trial, and if injustice is threatened, his case is made a matter of diplomatic consideration.

Our insistence on exterritorial jurisdiction over our citizens accused of crime now results in the mis-

carriage of justice. For the Turkish Government declines to furnish witnesses and allows the culprit to escape. It maintains that we have no right to exercise the jurisdiction we claim. It affirms that our copy of the Treaty is not correct. There is great need of the adjustment of the question by the negotiation of a new Treaty.

We have also a constant source of difficulty with Turkey in respect to naturalized Armenians. Many come to this country and take our naturalization papers and return home as American citizens. But the Sultan recognizes no naturalization since 1869, unless it has been made by his consent. The British avoid the trouble we have by declaring in writing on the passport of every Turkish subject naturalized in Great Britain that it is not valid on return of the bearer to Turkey.[1]

Until the government of Turkey undergoes important improvements, and especially until justice is more impartially administered by her courts, it will not be prudent for the Western Powers to make exactly such treaties with her as they may properly make with each other. The difference between the customs and laws of the Mohammedan nations

[1] This is in accordance with the following provision in the British Naturalization Act of 1870. "An alien to whom a certificate of naturalization is granted . . . shall not, within the limits of the foreign state of which he was a subject previously to obtaining his certificate of naturalization, be deemed to be a British subject unless he has ceased to be a subject of that state in pursuance of the laws thereof, or in pursuance of a treaty to that effect."

on the one hand and those of the Christian nations on the other is so marked that the relations between the two must long be determined by treaties breathing something of the spirit of the old Capitulations.

THE END

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